

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

GREG ABBOTT, ET AL.,

Defendants.

CIVIL ACTION NO. 1:23-CV-00853-DAE

**DEFENDANTS' RESPONSE AND OBJECTIONS TO
PLAINTIFF'S PRETRIAL FILINGS**

Pursuant to the Court's Order Resetting Bench Trial and Related Deadlines, ECF No. 214, Defendants Greg Abbott, in his official capacity as Governor of the State of Texas, and the State of Texas, hereby submit their Response and Objections to Plaintiff's Pre-Trial Filings (ECF No. 241).

Plaintiff has represented to the Court and to Defendants that Plaintiff has decided that it will not present any testimony or other evidence at trial to support its longstanding contentions that the Rio Grande River is navigable on the basis of current navigability or "reasonable improvements" that would render the River susceptible to navigation. Nevertheless, Plaintiff has not waived its contentions that either current navigability or reasonable improvements establish the navigable status of the Rio Grande River. Plaintiff expressly stated its intent to "preserve for appeal its argument that the Fifth Circuit's approach to future navigability is legally correct." ECF No. 236 at 5.

In an attempt to streamline trial, Defendants offered to consider reducing its own witnesses on current navigability and reasonable improvements, if Plaintiff would jointly stipulate that Plaintiff has waived its contentions regarding current navigability and reasonable improvements. Plaintiff declined this invitation to narrow the scope of their arguments.

Accordingly, Defendants expect to present trial witnesses and evidence to prove the non-

navigability of the River by presenting evidence relevant to all three prongs of the test for navigability—current navigation, historic navigation, susceptibility to navigation following reasonable improvements. *United States v. Appalachian Elec. Power Co.*, 311 U.S. 377, 407-09 (1940). At the conclusion of trial, Defendants anticipates that it will request findings and conclusions by the Court that Plaintiff failed to carry its burden to prove that the Rio Grande River is a navigable water on any basis, including current navigability and reasonable improvements. Defendants also anticipate requesting that the Court issue a declaratory judgment that the Rio Grande River at the location relevant to this case is not currently navigable and cannot be made navigable by reasonable improvements. Finally, Defendants may seeki reconsideration of the Court’s order dismissing Defendants’ counterclaim based on the changes Plaintiff has recently made to its case.

I. OBJECTIONS TO PLAINTIFF’S WITNESS LIST

Plaintiff listed Michael D. Chapman as a witness in its Case in Chief. Defendants object to Mr. Chapman testifying in Plaintiff’s Case in Chief. Mr. Chapman was not designated as an expert witness as required by the Agreed Scheduling Order. *See* ECF No. 97. Plaintiff identified him as a rebuttal expert witness on the deadline the Court assigned for identification of rebuttal experts. Plaintiff now seeks to evade the requirements of the Court’s Scheduling Order and re-purpose Mr. Chapman as a witness in its case-in-chief. To resolve this issue, Defendants filed Defendants’ Opposed Motion to Preclude Rebuttal Expert Witness Chapman from Testifying Other Than in Rebuttal on October 24, 2024. ECF No. 235.

II. OBJECTIONS TO PLAINTIFF’S EXHIBITS

Defendants object to Plaintiff’s Exhibits as follows:

Exhibit Number	Description	Bates Label	Will Offer	May Offer	Objections	Argument
P-0001	Remote Oral and Videotaped Deposition of Adrian Cortez. Date: 05/22/2024.			*	I	Exhibit is irrelevant, excluded from dep. designations, violates Rule 32
P-0002	Adrian Cortez Signed Errata. Date: 06/28/2024.			*	H and I	Exhibit is irrelevant, excluded from dep. designations, violates Rule 32
P-0003	Adrian Cortez CV (Cortez Dep. Ex. 1).			*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0004	Expert Report on Rio Grande Basin Operations (Cortez Dep. Ex. 2). Date: 05/09/2024.			*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0005	Letter from Brian Lynk, to Ryan Walters. Identification of United States' anticipated expert witnesses at trial (Cortez Dep. Ex. 3). Date: 01/24/2024.			*	None	
P-0006	Letter from Andrew Knudsen, to Ryan Walters. Identification of United States' anticipated expert witnesses at trial (Cortez Dep. Ex. 4). Date: 05/03/2024.			*	None	
P-0007	"Appendix 3. Table of River Mileages." (Cortez Dep. Ex. 5).			*	None	
P-0008	Navigability Study. Rio Grande, Tributaries, and Lakes (Cortez Dep. Ex. 6). Date: March 1975.			*	None	
P-0009	Deposition of: Benjamin Heber Johnson, Ph.D. Date: 05/29/2024.			*	Rule 32	Dep. Not Designated

P-0012	Rio Grande, by Leon C. Metz (Johnson Dep. Ex. 7). Date: 1952.			*	None	
P-0013	Notes on the Upper Rio Grande, by Bryant P. Tilden, Jr. (Johnson Dep. Ex. 9). Date: 1847.			*	None	
P-0014	River of Lost Dreams. Navigation on the Rio Grande, by Pat Kelley (Johnson Dep. Ex. 10). Date: 1928.			*	None	
P-0015	Letter from Daniel W. Kingsbury, to Major W.W. Chapman, A. QR Master, Ft. Brown, Texas. (Johnson Dep. Ex. 11). Date: 05/18/1849.			*	None	
P-0016	Transcription of Letter from Daniel W. Kingsbury, to Major W.W. Chapman, A. QR Master, Ft. Brown, Texas, by Defendants. (Johnson Dep. Ex. 12) Date: 05/18/1849.			*	None	
P-0017	Historical maps of the Rio Grande. (Johnson Dep. Ex. 13).			*	None	
P-0019	Great River. The Rio Grande in North American History. By Paul Horgan. (Johnson Dep. Ex. 15).			*	None	
P-0020	Bulletin 48 West Texas Historical and Scientific Society: Publications. (Johnson Dep. Ex. 16) Date: 03/02/1920.			*	None	
P-0022	Map of Eagle Pass, Texas (1887). (Johnson Dep. Ex. 18) Date: 1887.			*	None	
P-0024	Oral and Videotaped Deposition of Tim MacAllister. Date: 05/31/2024.			*	Rule 32	Dep. Not Designated

P-0025	First Amended Complaint. (MacAllister Dep. Ex. 5). Date: 09/28/2023.			*	None	
P-0026	33 CFR Part 329 Definition of Navigable Waters of the US. (MacAllister Dep. Ex. 8).			*	None	
P-0027	Report of the American Section of the International Water Commission United States and Mexico. (MacAllister Dep. Ex. 9). Date: 04/21/1930.			*	None	
P-0028	Army Corps of Engineers sets priorities for inland waterways projects. (MacAllister Dep. Ex. 10). Date: 05/22/2024.			*	None	
P-0029	International Boundary and Water Commission (IBWC) United States and Mexico U.S. Section. Rio Grande Canalization Project - Record of Decision. (MacAllister Dep. Ex. 12).			*	None	
P-0030	USACE Navigational Charts. (MacAllister Dep. Ex. 13).			*	None	
P-0031	Gateways to Commerce. (MacAllister Dep. Ex. 14). Date: 1992.			*	None	
P-0032	Chart Coverage in Coast Pilot 4 - Chapter 12. (MacAllister Dep. Ex. 15). Date: 05/26/2024.			*	None	
P-0033	Intracoastal Waterway shipping route, United States. (MacAllister Dep. Ex. 16).			*	None	
P-0034	Tennessee - Tombigbee Waterway. (MacAllister Dep. Ex. 17).			*	None	

P-0035	Remote Oral and Videotaped Deposition of Captain John C. Timmel. Date: 06/05/2024.			*	Rule 32	Dep. not Designated
P-0036	Expert Opinion Report of Captain John C. Timmel. (Timmel Dep. Ex. 1) Date: 05/09/2024.			*	None	
P-0037	Supplemented Disclosure of Additional Information Considered & Erratum (Timmel Dep. Ex. 2). Date: 06/04/2024.			*	None	
P-0038	Captain John C. Timmel Expert Opinion Report. VIII. Expert's C.V. (Timmel Dep. Ex. 5) Date: 05/09/2024.			*	None	
P-0039	Email from Brian Lynk, to John Timmel, et al. USA v. Abbott: Timmel's Interview Questions 9CBP follow-up) (Timmel Dep. Ex. 6). Date: 02/14/2024.	US0000587-588		*	None	
P-0040	Timmel's Interview Questions (Timmel Dep. Ex. 7). Date: 02/01/2024.	US0000585-586		*	None	
P-0041	Email from Brian Lynk, to John Timmel, et al. Information from IBWC (Timmel Dep. Ex. 8). Date: 02/13/2024.	US0000596-598		*	None	
P-0042	Email from Juan Uribe, to Rebecca Rizzuti, et al. Information (Timmel Dep. Ex. 9). Date: 02/12/2024.	US0000794-797		*	None	
P-0043	Email from Brian Lynk, to John Timmel, et al. Follow-up questions from Timmel for CBP (Timmel Dep. Ex. 10). Date: 02/29/2024.	US0000591-594		*	None	
P-0044	Timmel Dep. Ex. 11.			*	None	

P-0045	Email from Melanie Casner, to John Timmel, Brian Lynk. DRAFT REPORT - USACOE Data (Timmel Dep. Ex. 12). Date: 04/19/2024.	US0000801-803		*	None	
P-0046	Oral Deposition of Mario Gomez. Date: 08/07/2023.			*	Rule 32	As to portions not designated
P-0047	Declaration of Mario Gomez in Support of the United States' Motion for Preliminary Injunction (Gomez Dep. Ex. 1). Date: 07/25/2023.			*	None	
P-0048	CBP Releases June 2023 Monthly Update (Gomez Dep. Ex. 2). Date: 07/18/2023.			*	None	
P-0049	Mario Gomez Errata and Certification. Date: 08/08/2023.			*	Rule 32	As to portions not designated by Defendants
P-0050	Videoconferenced Oral Deposition of Captain Justin Peters. Date: 08/07/2023.			*	Rule 32	Dep. not Designated
P-0051	Memo from Commander, to Commanding Officer. Navigability Determination (Peters Dep. Ex. 1). Date: 10/19/1984.			*	None	
P-0052	Google Map Image of Rio Grande River (Peters Dep. Ex. 2). Date: 08/07/2023.			*	None	
P-0053	Declaration of Captain Justin Peters (Peters Dep. Ex. 3). Date: 07/25/2023.			*	None	
P-0054	Oral Deposition of Joseph Shelnutt. Date: 08/07/2023.			*	Rule 32	As to portions not Designated by Defendants
P-0055	Subpoena to Testify at a Deposition in a Civil Action to: Mr. Joseph Shelnutt. (Shelnutt Dep. Ex. 1). Date: 08/04/2023.			*	None	
P-0056	Declaration of Joseph L. Shelnutt. (Shelnutt Dep. Ex. 2). Date: 07/25/2023.			*	None	

P-0057	Map of Texas Districts (Shelnutt Dep. Ex. 3). Date: 08/23/2011.		*		None	
P-0058	Navigable Waters of the United States in the Fort Worth, Albuquerque, and Tulsa Districts Within the State of Texas (Shelnutt Dep. Ex. 4). Date: 12/20/2011.		*		None	
P-0059	Title 33 - Navigation and Navigable Waters, Chapter I - Coast Guard, Department of Homeland Security, Subchapter A - General, Part 2 - Jurisdiction, Subpart B - Jurisdictional Terms. Date: 08/03/2023.			*	None	
P-0060	Joseph Shelnutt Errata and Certification. Date: 08/09/2023.			*	Rule 32	As to portion not Designated by Defendants
P-0061	Declaration of Victor Escalon In Opposition to Motion for Preliminary Injunction. Date: 08/09/2023.			*	None	
P-0062	Declaration of Loren Flossman In Opposition to Motion for Preliminary Injunction. Date: 08/09/2023.			*	None	
P-0066	Declaration of Major Chris Nordloh in Opposition to the Motion for Preliminary Injunction. Date: 08/08/2023.			*	None	
P-0067	Photograph of Floating Barrier (PI Hearing Ex. G54).			*	None	
P-0068	Photograph of Floating Barrier (PI Hearing Ex. G55).			*	None	
P-0069	Photograph of Floating Barrier (PI Hearing Ex. G56).			*	None	

P-0070	Determination Pursuant to Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as Amended, 85 Fed. Reg. 14,953 (March 16, 2020). Date: 03/16/2020.			*	None	
P-0071	Declaration of Abraham Garcia. Date: 07/24/2023.			*	None	
P-0072	Declaration of Jason D. Owens. Date: 07/26/2023.			*	None	
P-0073	Declaration of Capt. Brandy Parker Regarding Navigability Determination of the Rio Grande River. Date: 07/24/2023.			*	None	
P-0074	Declaration of Jennifer T. Pena In Support of the United States' Motion for Preliminary Injunction. Date: 07/25/2023.			*	None	
P-0075	Declaration of Hillary Quam. Date: 07/24/2023.			*	None	
P-0076	Letter from Todd Kim, Jaime Esparaza, to Greg Abbott, Angela Colmenero. Notice of Prospective Filing of Legal Action Regarding Unlawful Activities in Rio Grande River. Date: 07/20/2023.			*	None	
P-0077	Letter from Greg Abbott, to Joseph Biden. Response to notice of prospective filing of legal action regarding unlawful activities in Rio Grande river. Date: 07/24/2023.			*	None	
P-0094	Adrian D. Cortez CV. Date: 05/09/2024.	US0002348-351		*	H & I & D	Hersay, Irrelevant and Duplicate of P-003
P-0095	EaglePassDataSetExport-Discharge.Daily Rounded cfs@08458000.csv	US0001112-112		*	Irrelevant	

P-0096	EaglePassDataSetExport-Discharge.Daily Rounded cfs@08458000-postAmistad.xlsx	US0001113-113		*	Irrelevant	
P-0097	EaglePassDataSetExport-Discharge.Daily Rounded cfs@08458000-preAmistad.xlsx	US0001114-114		*	Irrelevant	
P-0098	ElPasoDataSetExport-Discharge. Daily Rounded cfs@08364000.xlsx	US0001115-115		*	Irrelevant	
P-0099	FIowM13Jimnez-Median.xlsx	US0001116-116		*	Irrelevant	
P-0100	General Criteria for Flood Operations at Amistad Dam.	US0001117-135		*	Irrelevant	
P-0101	Table of Contents. Project Technical Summaries.	US0001136-317		*	Irrelevant	
P-0102	Expert Report of Adrian Cortez. Date: 05/21/2024.			*	Rule 32 & D	Dep. not Designated and Duplicate of P-001
P-0103	Cortez Report Fig. 1. Date: 05/21/2024.			*	Irrelevant	
P-0104	Cortez Report Fig. 2. Date: 05/21/2024.			*	Irrelevant	
P-0105	Cortez Report Fig. 3. Date: 05/21/2024.			*	Irrelevant	
P-0106	Cortez Report Fig. 4. Date: 05/21/2024.			*	Irrelevant	
P-0107	Cortez Report Table 1. Date: 05/21/2024.			*	Irrelevant	
P-0108	Cortez Report Fig. 5. Date: 05/21/2024.			*	Irrelevant	
P-0109	Cortez Report Fig. 6. Date: 05/21/2024.			*	Irrelevant	
P-0110	Cortez Report Fig. 7. Date: 05/21/2024.			*	Irrelevant	
P-0111	Cortez Report Table 2. Date: 05/21/2024.			*	Irrelevant	
P-0112	Cortez Report Table 3. Date: 05/21/2024.			*	Irrelevant	
P-0113	Cortez Report Fig. 8. Date: 05/21/2024.			*	Irrelevant	
P-0114	Cortez Report Fig. 9. Date: 05/21/2024.			*	Irrelevant	
P-0115	Cortez Report Fig. 10. Date: 05/21/2024.			*	Irrelevant	
P-0116	Cortez Report Fig. 11. Date: 05/21/2024.			*	Irrelevant	
P-0117	Cortez Report Fig. 12. Date: 05/21/2024.			*	Irrelevant	
P-0118	Cortez Report Fig. 13. Date: 05/21/2024.			*	Irrelevant	

P-0119	Email from Esteban Martinez, to Jeremy Wall, et al. Information. Date: 02/12/2024.	IBWC0020377-379		*	LOA & H & I	Lack of authentication, hearsay, and irrelevant
P-0120	Email from Rebecca Rizzuti, to Jeremy Wall, et al. Information. Date: 02/12/2024.	IBWC0020385-387		*	LOA & H & I	Lack of authentication, hearsay, and irrelevant
P-0121	Email from Juan Urlbe, to Rebecca Rizzuti. Information. Date: 02/12/2024.	IBWC0020432-435		*	LOA & H & I	Lack of authentication, hearsay, and irrelevant
P-0122	Email from Sidney Rouch, to Rebecca Rizzuti, et al. Information. Date: 02/12/2024.	IBWC0020437-439		*	LOA & H & I	Lack of authentication, hearsay, and irrelevant
P-0123	Email from Evelio Siller, to Rebecca Rizzuti, et al. Information. Date: 02/12/2024.	IBWC0020462-462		*	LOA & H & I	Lack of authentication, hearsay, and irrelevant
P-0124	Email from Juan Urlbe, to Rebecca Rizzuti, et al. Information. Date: 02/12/2024.	IBWC0020464-467	*		LOA & H & I	Lack of authentication, hearsay, and irrelevant
P-0125	Email from Sidney Rouch, to Rebecca Rizzuti, et al. Information. Date: 02/12/2024.	IBWC0020469-473	*		LOA & H & I	Lack of authentication, hearsay, and irrelevant
P-0126	Drawing from Frank Leslie's Illustrated Newspaper (Johnson Report, p. 28). Date: 09/03/1864.		*		None	
P-0127	Photograph, Jesse Sumpter, Paso del Aguilar (Johnson Report, p. 29). Date: Approx. 1870s-1880s.		*		None	
P-0128	Photograph, Jeff Taylor, Sr. (Johnson Report, p. 31). Date: Approx. 1910s-1920s.		*		None	
P-0130	Johnson Report, Appendix A: Bibliography of Sources Consulted. Date: 05/10/2024.			*	None	

P-0131	Johnson Report, Appendix B: Map of the Lower Rio Grande. Date: 05/10/2024.			*	None	
P-0132	Johnson Report, Appendix C: Lower Rio Grande Timeline. Date: 05/10/2024.		*		None	
P-0133	Johnson Report, Appendix D: Johnson Resume. Date: 05/10/2024.			*	None	
P-0134	Johnson Report, Appendix E: Additional rule 26(a)(2) Disclosures. Date: 05/10/2024.			*	None	
P-0135	Letter from Kimere Kimball, to Ryan Walters. Supplemental Expert Disclosure of Dr. Benjamin H. Johnson. Date: 05/28/2024.			*	None	
P-0136	Supplemental Expert Report of Benjamin H. Johnson, Ph.D. Date: 05/28/2024.			*	None	
P-0146	Photograph, Eagle Pass 1880s (produced in May 28, 2024 disclosure).		*		None	
P-0148	The Coast Depot and Shipping Port of the Valley of the Rio-Grande, and the Provinces of Mexico Tributary Thereto, with the Government Map of that Region of Country, Published in 1850, Together with The Report of the Explorations of the Rio Grande. Date: 1850.		*			

P-0149	Watercolor of View of Fort Duncan, near Eagle Pass.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	The watercolors depict craft engaged in bank-to-bank ferrying of people, not upstream/downstream commercial navigation
P-0150	Watercolor of Military Colony Opposite Fort Duncan, Texas.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	The watercolors depict craft engaged in bank-to-bank ferrying of people, not upstream/downstream commercial navigation
P-0151	Neither Fish Nor Fowl: A Jewish Family on the Rio Grande. Date: 09/20/2023.		*		Authenticity, Hearsay, Relevance or, alternatively, undue delay, waste of time	This is an unpublished book prepared by someone in 2023 allegedly based on a draft memoir written by a now deceased person in 1993 that has since been "heavily edited." The original 1993 memoir is not being offered in violation of the best evidence rule. The document is also over 500 pages long.

P-0152	Handwritten note, Mr. Schuchardt to Mr. Hunter. Report on commerce and trade. Date: 10/30/1881.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	The document reflects bank-to-bank activity, not upstream/downstream commercial navigation
P-0153	Life on the Rio Grande.		*		None	Mutual Exhibit
P-0154	Photograph, Taylor Collection.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	Image depicts bank-to-bank ferry activity, not commercial navigation upstream/downstream
P-0155	Photograph, Taylor Collection.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	Image depicts bank-to-bank ferry activity, not commercial navigation upstream/downstream

P-0156	Photograph, Taylor Collection.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	Image depicts bank-to-bank ferry activity, not commercial navigation upstream/downstream
P-0157	Photograph, Taylor Collection.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	Image depicts bank-to-bank ferry activity, not commercial navigation upstream/downstream
P-0158	Photograph, Jeff Taylor, Sr. Collection. Date: Approx. 1910s-1920s.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	Image depicts bank-to-bank ferry activity, not commercial navigation upstream/downstream
P-0159	Johnson Report Appendix B, Lower Rio Grande River		*		None	

P-0160	1923 Report of Chief of Engineers, U.S. Army.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	The document reflects bank-to-bank activity, not upstream/downstream commercial navigation
P-0163	Letter from Joe Sheard, to HDQA, et al. Navigability Study of the Rio Grande. Date: 03/31/1975.		*		None	
P-0164	Annual Reports Index.		*		Undisclosed evidence, unfair prejudice, Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	The annual reports index is not a document disclosed. It is prejudicial to Defendant's case due to unfair surprise. It is irrelevant to the extent it reflects bank-to-bank activity, not upstream/downstream commercial navigation

P-0165	Annual Reports Index. "Rio Grande, Tex., examination and survey (1923) ".		*	Undisclosed evidence, unfair prejudice, Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	The annual reports index is not a document disclosed. It is prejudicial to Defendant's case due to unfair surprise. It is irrelevant to the extent it reflects bank-to-bank activity, not upstream/downstream commercial navigation
P-0175	Timothy L. MacAllister CV. Date: 05/08/2024.			* Hearsay, unfair prejudice, Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This individual is not listed as a testifying witness, the document is hearsay, and the witness's testimony relates to reasonable improvements, an issue which the USA concedes

P-0176	Letter from Andrew Knudsen, to Ryan Walters. Supplemental Expert Disclosure of Timothy MacAllister. Date: 05/29/2024.			*	Hearsay, unfair prejudice, Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This individual is not listed as a testifying witness, the document is hearsay, and the witness's testimony relates to reasonable improvements, an issue which the USA concedes
P-0177	Expert Report of Timothy L. MacAllister.			*	Hearsay, unfair prejudice, Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This individual is not listed as a testifying witness, the document is hearsay, and the witness's testimony relates to reasonable improvements, an issue which the USA concedes

P-0178	MacAllister Report p. 4.			*	Hearsay, unfair prejudice, Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This individual is not listed as a testifying witness, the document is hearsay, and the witness's testimony relates to reasonable improvements, an issue which the USA concedes
P-0179	MacAllister Report p. 5.			*	Hearsay, unfair prejudice, Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This individual is not listed as a testifying witness, the document is hearsay, and the witness's testimony relates to reasonable improvements, an issue which the USA concedes

P-0180	MacAllister Report p. 6.			*	Hearsay, unfair prejudice, Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This individual is not listed as a testifying witness, the document is hearsay, and the witness's testimony relates to reasonable improvements, an issue which the USA concedes
P-0181	MacAllister Report p. 7.			*	Hearsay, unfair prejudice, Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This individual is not listed as a testifying witness, the document is hearsay, and the witness's testimony relates to reasonable improvements, an issue which the USA concedes

P-0182	MacAllister Report p. 8.			*	Hearsay, unfair prejudice, Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This individual is not listed as a testifying witness, the document is hearsay, and the witness's testimony relates to reasonable improvements, an issue which the USA concedes
P-0183	MacAllister Report p. 9.			*	Hearsay, unfair prejudice, Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This individual is not listed as a testifying witness, the document is hearsay, and the witness's testimony relates to reasonable improvements, an issue which the USA concedes

P-0184	MacAllister Report Appendix A.			*	Hearsay, unfair prejudice, Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This individual is not listed as a testifying witness, the document is hearsay, and the witness's testimony relates to reasonable improvements, an issue which the USA concedes
P-0185	Timothy L. MacAllister CV. Date: 05/29/2024.			*	Hearsay, unfair prejudice, Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This individual is not listed as a testifying witness, the document is hearsay, and the witness's testimony relates to reasonable improvements, an issue which the USA concedes

P-0186	U.S. Army Corps of Engineers 24 - Hour Motorboat Training Testing and Licensing Manual.			*	Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	The document is irrelevant to any of the claims or issues before the court
P-0187	Hydro-Electric Power Plants and Storage Dams.			*	Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	The document is irrelevant to any of the claims or issues before the court
P-0188	Rio Grande Carrizo Cane Eradication Program.			*	Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	The document is irrelevant to any of the claims or issues before the court

P-0189	Defendants' Objections and Answers to Plaintiff's First Set of Interrogatories. Date: 03/11/2024.			*	Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This document is superceded by subsequent amendments and irrelevant to the claims at issue in this case
P-0190	Timmel Report, Exhibit 1. Map of the Rio Grande Originating in Colorado and Extending Through New Mexico, Texas and Mexico Flowing into the Gulf of Mexico. Date: 05/09/2024.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	There are already maps admitted reflecting the entire stretch of the Rio Grande River and, the entire length of the river is not at issue in this suit
P-0191	Timmel Report, Exhibit 2. Aerial Photo of the Eagle Pass Segment of the Rio Grande with Texas's Marine Floating Barrier Visible on East Side of River. Date: 05/09/2024.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	the image does not reflect where the buoys are currently located

P-0192	Timmel Report, Exhibit 3. Buoy types. Date: 05/09/2024.		*	Lacks authentication and relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	The image, which is not authenticated, relates to whether buoys are technically "buoys" or "floats," a fact that is not at issue in this suit
P-0193	Timmel Report, Exhibit 4. Pipeline and Floats for Dredge Pumping. Date: 05/09/2024.		*	Lacks authentication and relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	The image, which is not authenticated, relates to whether buoys are technically "buoys" or "floats," a fact that is not at issue in this suit

P-0194	Timmel Report, Exhibit 5. Swimming Pool Floats. Exhibit 6. Marine Floating Barrier Floats. Date: 05/09/2024.		*	Lacks authentication and relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	The image, which is not authenticated, relates to whether buoys are technically "buoys" or "floats," a fact that is not at issue in this suit
P-0195	Timmel Report, p. 21. Boom (Baum) Blocking the River Foyle During the Siege of Derry in 1689. Modern Day Cochrane Boom Blocking an Entrance to a Waterway. Date: 05/09/2024.		*	Lacks authentication and relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	The image, which is not authenticated, relates to whether buoys are booms, an fact that is not at issue in this suit

P-0196	Timmel Report, Exhibit 7. Images of Old and New Boom Systems. Exhibit 7. Oil Containment Boom. Date: 05/09/2024.		*		Lacks authentication and relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	The images (there are two "exhibit nos. 7" in Timmel's report) are not authenticated, contains multiple undated pictures that are not of the buoys in question and relate to whether the buoys are a boom, a fact that is not at issue
P-0197	Timmel Report, Exhibit 8. Workers Installing Marine Barrier Note Size and Low Height of Spheres Relative to Workers. Date: 05/09/2024.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	there are other images of the buoys in evidence and this image is irrelevant to any fact in dispute in this suit
P-0198	Timmel Report, Exhibit 9. Marine Floating Barrier Seen in its Entirety Near Shelby Park in Eagle Pass. Date: 05/09/2024.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	there are other images of the buoys in evidence and this image is irrelevant to any fact in dispute in this suit and it is unclear when the image was taken and if it reflects where the buoys are currently located

P-0199	Timmel Report, Exhibit 10. The Mooring Blocks of the Marine Floating Barrier Visible at Low River Level. Exhibit 11. U.S. CBP Airboat Inspecting Barrier Over the Top of One of the Concrete Mooring Blocks. Date: 05/09/2024.		*		Authenticati on and relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	there are other images of the buoys in evidence and this image is irrelevant to any fact in dispute in this suit and it is unclear when the image was taken and if it reflects where the buoys are currently located and the exhibit includes two separate images
P-0200	Timmel Report, Exhibit 12. Floating Barrier as Seen From East Bank (U.S. Side) of the Rio Grande. Date: 05/09/2024.		*		Authenticati on and relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	there are other images of the buoys in evidence and this image is irrelevant to any fact in dispute in this suit and it is unclear when the image was taken and if it reflects where the buoys are currently located and the exhibit includes two separate images

P-0201	Timmel Report, Exhibit 13. Image of the Marine Floating Barrier Creating an Obstruction in the Eagle Pass Section of the Rio Grande. Date: 05/09/2024.		*	Authenticati on and relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence, prejudicial	there are other images of the buoys in evidence and this image is irrelevant to any fact in dispute in this suit and it is unclear when the image was taken and if it reflects where the buoys are currently located and the title of the exhibit is prejudicial
P-0202	Timmel Report, Exhibit 14. Aerial View of Marine Floating Barrier with Rough Estimates of Distances. Date: 05/09/2024.		*	Authenticati on and relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence, prejudicial	there are other images of the buoys in evidence and this image is irrelevant to any fact in dispute in this suit and it is unclear when the image was taken and if it reflects where the buoys are currently located and the document admits that it is no more than a rough estimate

P-0203	Timmel Report, Section VII. Documents, Materials, and Data Considered. Date: 05/09/2024.			*	Hearsay, unfair prejudice, bolstering, relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	In addition to the obviously objectionable nature of the exhibit, Timmel testified at his deposition that he did not rely on any of these documents when forming his opinions in the case
P-0204	Timmel Report, Section VIII. Expert's C.V. Date: 05/09/2024.			*	none	
P-0205	Timmel Report, Section IX. Cases in Previous Five (5) Years in Which Expert Testified. Date: 05/09/2024.			*	none	
P-0206	Timmel Report, Section X. Additional Rule 26(A)(2) Disclosures. Date: 05/09/2024.			*	none	
P-0207	Aerial photograph of Floating Barrier construction.		*		None	
P-0208	Aerial photograph of Floating Barrier construction.		*		None	

P-0209	Aerial photograph of Floating Barrier construction.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	Pictures of the buoys are already in evidence and additional photos are needlessly cumulative, irrelevant, and a waste of time
P-0210	Aerial photograph of Floating Barrier construction.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	Pictures of the buoys are already in evidence and additional photos are needlessly cumulative, irrelevant, and a waste of time
P-0211	Aerial photograph of Floating Barrier construction.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	Pictures of the buoys are already in evidence and additional photos are needlessly cumulative, irrelevant, and a waste of time

P-0212	Aerial photograph of Floating Barrier construction.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	Pictures of the buoys are already in evidence and additional photos are needlessly cumulative, irrelevant, and a waste of time
P-0213	Mario Gomez Declaration p. 8.		*		Authentication, relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	The map, which is unauthenticated, reflects an approximation of the buoys placement prior to their relocation and is entirely irrelevant to the issues before the court and no more than a waste of the courts time
P-0214	Mario Gomez Declaration p. 10.		*		none	
P-0215	Mario Gomez Declaration p. 11.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	Pictures of the buoys are already in evidence and additional photos are needlessly cumulative, irrelevant, and a waste of time

P-0216	Mario Gomez Declaration p. 12.		*	Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	Pictures of the buoys are already in evidence and additional photos are needlessly cumulative, irrelevant, and a waste of time
P-0217	Mario Gomez Declaration p. 14.		*	Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	Pictures of the buoys are already in evidence and additional photos are needlessly cumulative, irrelevant, and a waste of time
P-0218	Mario Gomez Declaration p. 15.		*	Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	Pictures of the buoys are already in evidence and additional photos are needlessly cumulative, irrelevant, and a waste of time

P-0219	Mario Gomez Declaration p. 16.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	Pictures of the buoys are already in evidence and additional photos are needlessly cumulative, irrelevant, and a waste of time
P-0220	Mario Gomez Declaration p. 17.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	Pictures of the buoys are already in evidence and additional photos are needlessly cumulative, irrelevant, and a waste of time
P-0221	Mario Gomez Declaration p. 19.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	Pictures of the buoys are already in evidence and additional photos are needlessly cumulative, irrelevant, and a waste of time

P-0222	Mario Gomez Declaration p. 20.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	Pictures of the buoys are already in evidence, and the pictures depict the buoys location prior to their relocation, and additional photos are needlessly cumulative, irrelevant, and a waste of time
P-0223	Mario Gomez Declaration p. 21.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	Pictures of the buoys are already in evidence, and the pictures depict the buoys location prior to their relocation, and additional photos are needlessly cumulative, irrelevant, and a waste of time
P-0224	Photograph, Joseph Shelnut Declaration p.3.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	Pictures of the buoys are already in evidence, and the pictures depict the buoys location prior to their relocation, and additional photos are needlessly cumulative, irrelevant, and a waste of time

P-0225	Photograph, Joseph Shelnut Declaration p.4.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	Pictures of the buoys are already in evidence, and the pictures depict the buoys location prior to their relocation, and additional photos are needlessly cumulative, irrelevant, and a waste of time
P-0226	Memo from Joe Sheard, to HQDA. Navigability Study of the Rio Grande. Date: 03/31/1975.		*		Already in Evidence	This is a mutual exhibit already admitted into evidence see P-0163
P-0227	Evelio Siller Declaration p. 3.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	Pictures of the buoys are already in evidence, and the pictures depict the buoys location prior to their relocation, and additional photos are needlessly cumulative, irrelevant, and a waste of time
P-0228	Evelio Siller Declaration p. 4.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	Pictures of the buoys are already in evidence, and the pictures depict the buoys location prior to their relocation, and additional photos are needlessly cumulative, irrelevant, and a waste of time

P-0229	Evelio Siller Declaration p. 5.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	Pictures of the buoys are already in evidence, and the pictures depict the buoys location prior to their relocation, and additional photos are needlessly cumulative, irrelevant, and a waste of time
P-0230	Evelio Siller Declaration p. 6.		*		Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	Pictures of the buoys are already in evidence, and the pictures depict the buoys location prior to their relocation, and additional photos are needlessly cumulative, irrelevant, and a waste of time
P-0231	Photograph of Floating Barrier (PI Hearing Ex. G52).		*		none	Already in evidence
P-0232	Photograph of Floating Barrier (PI Hearing Ex. G53).		*		none	Already in evidence
P-0233	Photograph of Floating Barrier (PI Hearing G54).		*		none	Already in evidence
P-0234	Photograph of Floating Barrier (PI Hearing Ex. G55).		*		none	Already in evidence
P-0235	Photograph of Floating Barrier (PI Hearing Ex. G56).		*		none	Already in evidence

P-0236	Cochrane website. Maritime security marine floating barrier (PI Hearing Ex. G57).			*	none	Already in evidence
P-0237	Loren Flossman - PI Hearing Examination (excerpt).			*	none	Already in evidence
P-0238	Joseph Shelnutt - PI Hearing Examination (excerpt).			*	none	Already in evidence
P-0239	Objections and Responses to Plaintiff's First Set of Interrogatories. Date: 05/24/2024.			*	Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This document is irrelevant to the claims at issue in this case
P-0244	Water Resource Policies and Authorities Definition of Navigable Waters of the United States. Date: 09/11/1972.			*	Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	The en banc decision established the law of the case defining navigable waters thereby rendering this definition irrelevant

P-0245	Water Resource Policies and Authorities Definition of Navigability Policy, Practice and Procedure. Date: 12/15/1965.			*	Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	The en banc decision established the law of the case defining navigable waters thereby rendering this definition irrelevant
P-0246	Email from State Department, to "GhiottoPA@state.gov". Secretary Antony J. Blinken, Secretary of Homeland Security Alejandro Mayorkas, Attorney General Merrick Garland, White House Homeland Security Advisor Dr. Liz Sherwood-Randall, Mexican Secretary of Public Security and Citizen Protection Rosa Icela Rodri. Date: 10/05/2023.	DOS_0000170-185		*	Hearsay, unfair prejudice, relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This document is hearsay, is unfair because Defendants cannot cross examine its receipients and author, and is irrelevant to the claims at issue, and is needlessly cumulative of other evidence

P-0247	Email from Alisla Simmons, to "PRM-WHA". Top Press in the Past 24 Hours. Date: 09/08/2023.	DOS_0000512-515		*	Hearsay, unfair prejudice, relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This document is hearsay, is unfair because Defendants cannot cross examine its recipients and author, and is irrelevant to the claims at issue, and is needlessly cumulative of other evidence
P-0248	Email from Jennifer Pena, to Sally Spener. Follow up on my meeting with Resendez. Date: 07/18/2023.	DOS_0010473-475		*	Hearsay, unfair prejudice, relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This document is hearsay, is unfair because Defendants cannot cross examine its recipients and author, and is irrelevant to the claims at issue, and is needlessly cumulative of other evidence

P-0249	Email from Victor Vazquez, to "Mexico City Tasker - INL", et al. AMLO daily press conference - August 1, 2023. Date: 08/01/2023.	DOS_0011942-972		*	Hearsay, unfair prejudice, relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This document is hearsay, is unfair because Defendants cannot cross examine its recipients and author, and is irrelevant to the claims at issue, and is needlessly cumulative of other evidence
P-0250	Press conference with Antony Blinken and Alicia Barcena.	DOS_0012831-847		*	Hearsay, unfair prejudice, relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This document is hearsay, is unfair because Defendants cannot cross examine its recipients and author, and is irrelevant to the claims at issue, and is needlessly cumulative of other evidence

P-0251	Email from Alex Osborne, to Jacqueline Westernen, et al. Piedras Negras. Date: 07/20/2023.	DOS_0012910-910		*	Hearsay, unfair prejudice, relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This document is hearsay, is unfair because Defendants cannot cross examine its recipients and author, and is irrelevant to the claims at issue, and is needlessly cumulative of other evidence
P-0252	Email from Victor Vazquez, to "Mexico City Tasker - INL", et al. AMLO daily press conference - July 17, 2023. Date: 07/17/2023.	DOS_0012911-943		*	Hearsay, unfair prejudice, relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This document is hearsay, is unfair because Defendants cannot cross examine its recipients and author, and is irrelevant to the claims at issue, and is needlessly cumulative of other evidence

P-0253	Letter from Veronica Escobar, et al, to Merrick Garland, Antony Blinken. Concern about the new aquatic barriers that Texas Governor Greg Abbott has deployed. Date: 07/13/2023.	DOS_0019869-871		*	Hearsay, unfair prejudice, relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This document is hearsay, is unfair because Defendants cannot cross examine its recipients and author, and is irrelevant to the claims at issue, and is needlessly cumulative of other evidence
P-0254	Diplomatic note from Mexican Embassy, to Department of State. Response to diplomatic note regarding Texas activities within the Rio Grande bed in the Eagle Pass area. Date: 07/21/2023.	DOS_0031521-524		*	Hearsay, unfair prejudice, relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This document is hearsay, is unfair because Defendants cannot cross examine its recipients and author, and is irrelevant to the claims at issue, and is needlessly cumulative of other evidence

P-0255	Spener, et al. HFAC Follow up Request for Brief --IBWC- 1944 Treaty. Date: 08/31/2023.	DOS_0034847-848	*	Hearsay, unfair prejudice, relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This document is hearsay, is unfair because Defendants cannot cross examine its recipients and author, and is irrelevant to the claims at issue, and is needlessly cumulative of other evidence
P-0257	Diplomatic note from Mexican Embassy, to Department of State. Activities being carried out by the United States in the bed of the Rio Grande in the area of Eagle Pass. Date: 06/26/2023.	DOS_0035212-215	*	Hearsay, unfair prejudice, relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This document is hearsay, is unfair because Defendants cannot cross examine its recipients and author, and is irrelevant to the claims at issue, and is needlessly cumulative of other evidence

P-0258	Email from Shelu Patel, to Hillary Quam, et al. Rio Grande Buoy Barrier Deployment Information. Date: 07/11/2023.	DOS_0036698-700		*	Hearsay, unfair prejudice, relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This document is hearsay, is unfair because Defendants cannot cross examine its recipients and author, and is irrelevant to the claims at issue, and is needlessly cumulative of other evidence
P-0259	Email from Colton Arciniaga, to Hillary Quam, et al. AMLO daily press conference - August 8, 2023. Date: 08/11/2023.	DOS_0046317-346		*	Hearsay, unfair prejudice, relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This document is hearsay, is unfair because Defendants cannot cross examine its recipients and author, and is irrelevant to the claims at issue, and is needlessly cumulative of other evidence

P-0260	Information Note No. 04. Information note on the United States' activities on the Bravo River in the Eagle Pass area. Date: 07/14/2023.	DOS_0049686-687	*	Hearsay, unfair prejudice, relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This document is hearsay, is unfair because Defendants cannot cross examine its recipients and author, and is irrelevant to the claims at issue, and is needlessly cumulative of other evidence
P-0261	Information Note No. 05. Information note on the second diplomatic note of the government of Mexico on Texas' activities in the pipeline of the Bravo River in the Eagle Pass area. Date: 07/26/2023.	DOS_0049688-689	*	Hearsay, unfair prejudice, relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This document is hearsay, is unfair because Defendants cannot cross examine its recipients and author, and is irrelevant to the claims at issue, and is needlessly cumulative of other evidence

P-0262	Courtesy Translation of 7/14/23 SRE Information Note No. 4. Briefing Note on the U.S. Activities on the Rio Grande in the Eagle Pass, Texas Area. Date: 07/14/2023.	DOS_0049690-690	*	Hearsay, unfair prejudice, relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This document is hearsay, is unfair because Defendants cannot cross examine its recipients and author, and is irrelevant to the claims at issue, and is needlessly cumulative of other evidence
P-0263	Courtesy Translation of 7/26/23 SRE Information Note No. 5. Briefing Note on the second Diplomatic Note of the Government of Mexico on the activities being carried out by the Texas state authorities in the Rio Grande in the Eagle Pass area. Date: 07/26/2023.	DOS_0049691-692	*	Hearsay, unfair prejudice, relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This document is hearsay, is unfair because Defendants cannot cross examine its recipients and author, and is irrelevant to the claims at issue, and is needlessly cumulative of other evidence

P-0264	Email from Ana Luisa Fajer Flores, to Rachel Poynter. Court ruling on the TX buoy barriers. Date: 09/06/2023.	DOS_0051018-018	*	Hearsay, unfair prejudice, relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This document is hearsay, is unfair because Defendants cannot cross examine its recipients and author, and is irrelevant to the claims at issue, and is needlessly cumulative of other evidence
P-0265	Email from Sally Spener, to Francisco Sainz, et al. HFAC Follow up Request for Brief --IBWC- 1944 Treaty. Date: 08/31/2023.	DOS_0069399-399	*	Hearsay, unfair prejudice, relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This document is hearsay, is unfair because Defendants cannot cross examine its recipients and author, and is irrelevant to the claims at issue, and is needlessly cumulative of other evidence

P-0267	Email from David Buchholz, to Maxwell Hamilton. AMLO daily press conference - August 22, 2023. Date: 08/22/2023.	DOS_0073714-743		*	Hearsay, unfair prejudice, relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This document is hearsay, is unfair because Defendants cannot cross examine its recipients and author, and is irrelevant to the claims at issue, and is needlessly cumulative of other evidence
P-0268	Email from Rachel Poynter, to Christopher Bodington, et al. For DAS Poynter: HFAC Brief on Mexico's Water Deliveries. Date: 08/18/2023.	DOS_0076618-618		*	Hearsay, unfair prejudice, relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This document is hearsay, is unfair because Defendants cannot cross examine its recipients and author, and is irrelevant to the claims at issue, and is needlessly cumulative of other evidence

P-0270	Email from Adam Sulewski, to Adam Sulewski. AMLO daily press conference - August 22, 2023. Date: 08/23/2023.	DOS_0105793-822		*	Hearsay, unfair prejudice, relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This document is hearsay, is unfair because Defendants cannot cross examine its recipients and author, and is irrelevant to the claims at issue, and is needlessly cumulative of other evidence
P-0272	Email from Francisco Sainz, to Sally Spener, et al. HFAC Follow up Request for Brief --IBWC- 1944 Treaty. Date: 08/31/2023.	DOS_0111660-660		*	Hearsay, unfair prejudice, relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This document is hearsay, is unfair because Defendants cannot cross examine its recipients and author, and is irrelevant to the claims at issue, and is needlessly cumulative of other evidence

P-0273	Email from Maxwell Hamilton, to Francisco Sainz, et al. Concluding Rio Grande Minute Negotiation Sessions. Date: 09/20/2023.	DOS_0118607-608		*	Hearsay, unfair prejudice, relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This document is hearsay, is unfair because Defendants cannot cross examine its recipients and author, and is irrelevant to the claims at issue, and is needlessly cumulative of other evidence
P-0274	Email from Sally Spener, to Maria Elena Griner, et al. Status of Rio Grande meetings? Date: 07/12/2023.	DOS_0118693-694	*		authenticity; hearsay	Neither sender or recipient of email will be called at trial; no one to authenticate this email. Document is hearsay.
P-0276	Email from "White House Press Office", to Richard Sonar. Press Briefing by Press Secretary Karine Jean-Pierre. Date: 07/19/2023.	DOS_0122871-893		*	relevance; hearsay	
P-0277	Email from Maxwell Hamilton, to Francisco Sainz, et al. HFAC Request for Brief -- IBWC- 1944 Treaty. Date: 08/18/2023.	DOS_0125211-213		*	hearsay	
P-0278	Email from Brendan McGovern, to "WHA- MEX Only". WHA/MEX Daily Points, 12 June 2023." Date: 06/12/2023.	DOS_0145946-949		*	authenticity; hearsay	
P-0280	Email from Maxwell Hamilton, to David Buchholz, et al. AMLO daily press conference - August 22, 2023. Date: 08/22/2023.	DOS_0169645-674		*	authenticity; hearsay	

P-0281	Email from Maxwell Hamilton, to Hillary Quam, et al. Readout: HFAC Brief on TX Water Negotiations. Date: 09/08/2023.	DOS_0169712-713		*	hearsay; relevance	
P-0282	Email from Sally Spener, to Francisco Sainz, et al. Follow up on my meeting with Resendez. Date: 07/18/2023.	DOS_0170381-383	*		hearsay; unfair surprise	Email contains second hand reports of the buoys installation. Double hearsay. Cannot question most of the people on the email chain, including original sender; unfair surprise.
P-0283	Email from Francisco Sainz, to Maxwell Hamilton, et al. HFAC Request for Brief -- IBWC- 1944 Treaty. Date: 08/18/2023.	DOS_0174935-937	*		hearsay; unfair surprise	Cannot question most of the people on the email chain, including original sender; unfair surprise.
P-0284	Email from Ken Salazar, to Mark Johnson, et al. AMLO daily press conference - July 26, 2023. Date: 07/27/2023.	DOS_0180615-636		*	hearsay;	
P-0286	Email from "International", to "mexcitysintesis@state.gov". English Language News/Aug 22, 2023/Evening. Date: 08/22/2023.	DOS_0186517-540		*	relevance; authenticity; hearsay	
P-0287	Email from David Suarez, to "Mexico City- Mananera Live". Mananera Live-- United States omnibus: AMLO talks USMCA, Texas, Florida, fentanyl. Date: 08/22/2023.	DOS_0188419-420		*	authenticity; hearsay	
P-0288	Email from Luis Ramirez, to "Mexico City- Mananera Live". Mananera Live: AMLO sends letter praising POTUS; He blasts the UN. Date: 08/09/2023.	DOS_0188869-869		*	authenticity; hearsay	

P-0289	Email from Hillary Quam, to "Mexico City Tasker - POL", et al. AMLO daily press conference - August 28, 2023. Date: 08/28/2023.	DOS0193083-121		*	hearsay; authenticity	
P-0290	Diplomatic note from the Ministry of Foreign Affairs. Date: 08/17/2023.	DOS0193125-125	*		unfair surprise	afaik, we havent known about a Mexican diplo note passed on August 17
P-0291	Email from Sally Spener, to "jgould@usbr.gov", et al. Can IBWC sign our Rio Grande Minute in Boulder City this week? Date: 12/11/2023.	IBWC0000384-384		*	authenticity; hearsay	
P-0292	Email from Sally Spener, to Maria Elena Giner, et al. Canceled: Rio Grande Minute Signing. Date: 12/15/2023.	IBWC0000387-387		*	authenticity; hearsay	
P-0293	Email from Sally Spener, to Maria Elena Giner, et al. Clarify text edits RE: New draft Rio Grande Minute for review/discussion this week. Date: 09/06/2023.	IBWC0000394-396		*	authenticity; hearsay	
P-0294	Email from Sally Spener, to Francisco Sainz. Rio Grande Policy Work Group mid- summer update webinar - July 31 proposed. Date: 07/18/2023.	IBWC0000602-603		*	hearsay; authenticity	
P-0295	Email from Sally Spener, to Maria Elena Giner, et al. Status of Rio Grande meetings? Date: 07/12/2023.	IBWC0000614-615		*	authenticity; hearsay	
P-0296	Email from Sally Spener, to Francisco Sainz. Follow up on my meeting with Resendez. Date: 07/18/2023.	IBWC0000928-930		*	hearsay; authenticity	

P-0297	Email from Francisco Sainz, to Sally Spener, et al. HFAC Follow up Request for Brief --IBWC- 1944 Treaty. Date: 08/31/2023.	IBWC0000951-951		*	relevance; hearsay	
P-0298	Email from Sally Spener, to Krista Kyle. Postponed meeting with Chihuahua. Date: 07/18/2023.	IBWC0001052-053		*	authenticity; hearsay	
P-0299	Letter from Adriana Resendez Maldonado, to Maria-Elena Giner. Field visit performed by this Mexican Section. Date: 06/09/2023.	IBWC0001603-605		*	authenticity; hearsay	
P-0300	Letter from Adriana Resendez Maldonado, to Maria-Elena Giner. Follow up on 6/9/2023 letter. Date: 07/14/2023.	IBWC0001607-608		*	authenticity; hearsay	
P-0301	Letter from Adriana Resendez Maldonado, to Maria-Elena Giner. Follow up on 6/9 and 7/14/2023 letters. Date: 07/26/2023.	IBWC0001610-611		*	authenticity; hearsay	
P-0302	Letter from Jose de Jesus Luevano Grano, to Maria-Elena Giner. Response to 8/10/2023 letter regarding activities carried out by the State of Texas. Date: 08/14/2023.	IBWC0001613-614		*	authenticity; hearsay	
P-0303	Letter from Maria-Elena Giner, to Adriana Resendez Maldonado. Response to 6/9/2023 letter regarding personnel, vehicles, and equipment observed within the Rio Grande. Date: 06/22/2023.	IBWC0001623-623		*	authenticity; hearsay	

P-0304	Letter from Maria-Elena Giner, to Adriana Resendez Maldonado. Response to 7/26/2023 letter regarding construction activities carried out by the State of Texas. Date: 08/10/2023.	IBWC0001629-631		*	authenticity; hearsay	
P-0305	Letter from Maria-Elena Giner, to Adriana Resendez Maldonado. Response to 7/26/2023 letter regarding construction activities carried out by the State of Texas. Date: 08/10/2023.	IBWC0001632-633		*	authenticity; hearsay	
P-0306	Letter from Maria-Elena Giner, to Adriana Resendez Maldonado. Response to 08/14/2023 letter regarding construction activities carried out by the State of Texas. Date: 08/16/2023.	IBWC0001636-636		*	authenticity; hearsay	
P-0307	Letter from Maria-Elena Giner, to Adriana Resendez Maldonado. Realignment of the barrier buoys undertaken by the State of Texas to move the buoys closer to the United States. Date: 09/13/2023.	IBWC0001640-658		*	authenticity; hearsay	
P-0308	Memo from John Claudio, to Ramon Macias III. Binational Survey of State of Texas buoys in Eagle Pass TX. Date: 08/30/2023.	IBWC0003233-239		*	authenticity; hearsay	
P-0309	Email from Ramon Macias, to Padinare Unnikrishna, et al. Report on floating barriers. Date: 07/26/2023.	IBWC0004998-002		*	authenticity	
P-0310	Email from Maria Elena Giner, to Francisco Sainz, et al. Field Survey. Date: 07/26/2023.	IBWC0006070-070		*	hearsay; relevance	

P-0311	Email from Francisco Sainz, to Jennifer Pena, et al. Field Survey. Date: 07/26/2023.	IBWC0006071-071		*	hearsay; relevance	
P-0312	Email from Mario Castro, to Juan Uribe, et al. Survey boat safety check. Date: 07/19/2019.	IBWC0006866-867		*	authenticity; relevance	
P-0313	Email from Mario Gomez, to Ramon Macias, et al. CILA survey at Eagle Pass. Date: 08/24/2023.	IBWC0008385-387		*	authenticity; hearsay	
P-0314	Email from Loren Flossman, to Victor Escalon, et al. River Floating Fence//Pontoon. Date: 02/23/2024.	STATE_003590-590		*	none	
P-0315	Texas Turns the Tide.	STATE_003624-635		*	none	
P-0316	Email from Madeleine Winslow, to Jeffrey Gilmore, et al. Cochrane//DPS 7.14.23. Date: 07/14/2023.	STATE_004028-029		*	none	
P-0317	Buoy Project End of Week Report 7.14.23. Date: 07/14/2023.	STATE_004030-035		*	none	
P-0318	Email from Loren Flossman, to Victor Escalon, et al. Floating you barrier System. Date: 09/30/2023.	STATE_004036-036		*	none	
P-0319	Email from Loren Flossman, to Victor Escalon, et al. Issues Passive discs between buoys. Date: 08/09/2023.	STATE_004041-041		*	none	
P-0320	Email from Isaac Gonzalez, to Madeleine Winslow, et al. Cochrane//DPS 7.14.23. Date: 07/14/2023.	STATE_004046-047		*	none	
P-0321	Email from Arturo Delagarza, to Loren Flossman, et al. RIVER FLOATING FENCE. Date: 02/23/2024.	STATE_004048-048		*	none	

P-0322	Email from Andrew Mahaleris, to Tabatha Vasquez, et al. WSJ request: border buoys. Date: 08/29/2023.	STATE_004049-052		*	none	
P-0323	Email from Coulter Tallent, to Tony Pena, et al. Border Update - 1045 CT, 14 Jun 2023. Date: 06/14/2023.	STATE_004056-057		*	none	
P-0324	Floating Barrier System (FBS) Evaluation Report Outbrief. Date: 09/14/2023.	STATE_004086-101		*	none	
P-0325	"8. Impacts from FBS to Agencies Operating Along the Rio Grande River".	STATE_004124-141		*	none	
P-0326	Floating Buoy Barrier Update to DPS Regional Director Victor Escalon.	STATE_004142-151		*	none	
P-0327	Texas Department of Public Safety. Floating Barrier System Evaluation Report. Date: 09/14/2023.	STATE_004184-221		*	none	
P-0328	Videoconference Deposition of Heather Lee Miller, PHD. Date: 07/01/2024.			*	Rule 32	dep not designated (uses other than impeachment)
P-0329	Expert Report of Heather Lee Miller, PhD (Miller Dep. Ex. 1). Date: 06/14/2024.			*	none	
P-0330	Miller Dep. Ex. 2.			*	H and I	Exhibit is irrelevant, excluded from dep. designations, violates Rule 32
P-0331	Deposition of F. Douglas Shields, Jr., PhD. Date: 07/01/2024.			*	Rule 32	dep not designated
P-0332	"F.D. Shields' Testimony." (Shields Dep. Ex. 1)			*	H and I	Exhibit is irrelevant, excluded from dep. designations, violates Rule 32

P-0333	Reasonableness of proposed improvement of the Rio Grande for navigation downstream of Amistad Dam (Shields Dep. Ex. 2). Date: 06/14/2024.			*	H and I	Exhibit is irrelevant, excluded from dep. designations, violates Rule 33
P-0334	Funding and Managing the U.S. Inland Waterways System: hat Policy Makers Need to Know: What Policy Makers Need to Know (Shields Dep. Ex. 3). Date: 2015.			*	H and I	Exhibit is irrelevant, excluded from dep. designations, violates Rule 34
P-0335	Engineering and Design Layout and Design of Shallow-Draft Waterways (Shields Dep. Ex. 4). Date: 07/31/1997.			*	H and I	Exhibit is irrelevant, excluded from dep. designations, violates Rule 35
P-0336	Evaporative Losses from Major Reservoirs in Texas (Shields Dep. Ex. 5). Date: May 2021.			*	H and I	Exhibit is irrelevant, excluded from dep. designations, violates Rule 36
P-0337	Shields Dep. Ex. 6.			*	H and I	Exhibit is irrelevant, excluded from dep. designations, violates Rule 37
P-0338	Deposition of Ancil Taylor. Date: 07/03/2024.			*	Rule 32	Except as designated
P-0339	Expert Report of Ancil Taylor (Taylor Dep. Ex. 1). Date: 06/14/2024.			*	None	
P-0340	Data table (Taylor Dep. Ex. 2).			*	H and I	Exhibit is irrelevant, excluded from dep. designations, violates Rule 37
P-0341	Barge Transportation (Taylor Dep. Ex. 3).			*	H and I	Exhibit is irrelevant, excluded from dep. designations, violates Rule 38
P-0342	Taylor Dep. Ex. 4.			*	H and I	Exhibit is irrelevant, excluded from dep. designations, violates Rule 39

P-0343	Taylor Dep. Ex. 5.			*	H and I	Exhibit is irrelevant, excluded from dep. designations, violates Rule 40
P-0344	Taylor Dep. Ex. 6.			*	H and I	Exhibit is irrelevant, excluded from dep. designations, violates Rule 41
P-0345	Taylor Dep. Ex. 7.			*	H and I	Exhibit is irrelevant, excluded from dep. designations, violates Rule 42
P-0346	Oral Deposition of Kathy Ann Alexander, PhD. Date: 07/08/2024.			*	Rule 32	dep not designated
P-0347	Letter from Johnathan Stone, to Brian Lynk. Identification of State Defendants' Anticipated Expert Witness. (Alexander Dep. Ex. 1). Date: 06/14/2024.			*	None	
P-0348	Water Code § 11.023. (Alexander Dep. Ex. 2) Date: 06/10/2019.			*	None	
P-0349	Water Code § 11.121. (Alexander Dep. Ex. 3) Date: 06/17/2015.			*	None	
P-0350	30TAC § 297.1. (Alexander Dep. Ex. 4) Date: 05/28/2020.			*	None	
P-0351	Water Code § 11.0235. (Alexander Dep. Ex. 5) Date: 09/01/2007.			*	None	
P-0352	Water Code § 11.096. (Alexander Dep. Ex. 6)			*	None	
P-0353	Deposition of Thomas Ciarametaro. Date: 07/09/2024.			*	Rule 32	except as designated
P-0354	Expert Witness Report. Prepared by Thomas P. Ciarametaro. (Ciarametaro Dep. Ex. 1) Date: 06/14/2024.			*	None	

P-0355	Thomas P. Ciarametaro, Jr. CV. (Ciarametaro Dep. Ex. 2)			*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0356	Oral Deposition of Christine Marie Magers. Date: 07/09/2024.			*	Rule 32	dep not designated
P-0357	Magers Dep. Ex. 1.			*	H and I	Exhibit is irrelevant, excluded from dep. designations, violates Rule 32
P-0358	Magers Dep. Ex. 2.			*	H and I	Exhibit is irrelevant, excluded from dep. designations, violates Rule 32
P-0359	Magers Dep. Ex. 3.			*	H and I	Exhibit is irrelevant, excluded from dep. designations, violates Rule 32
P-0360	Magers Dep. Ex. 4.			*	H and I	Exhibit is irrelevant, excluded from dep. designations, violates Rule 32
P-0361	Magers Dep. Ex. 6.			*	H and I	Exhibit is irrelevant, excluded from dep. designations, violates Rule 32
P-0362	Oral Deposition of Carlos Rubinstein. Date: 07/09/2024.			*	Rule 32	dep not designated
P-0363	Expert Report of Carlos Rubinstein & Herman R. Settemeyer. (Rubinstein Dep. Ex. 1).			*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0364	Carolos Rubinstein CV. (Rubinstein Dep. Ex. 2).			*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0365	Rio Grande/Rio Bravo River Basin (Rubinstein Dep. Ex. 3).			*	I	Witness not presented at trial; irrelevant
P-0366	Water Code § 1.003. (Rubinstein Dep. Ex. 3). Date: 09/01/2011.			*	None	

P-0367	Oral Deposition of Michael Banks. Date: 07/10/2024.			*	Rule 32	dep not designated
P-0368	Drone footage.			*	Vague; authenticity	No explanation as to substance or purpose of footage.
P-0369	Banks Dep. Ex. 3.			*	None	
P-0370	Banks Dep. Ex. 4.			*	None	
P-0371	Banks Dep. Ex. 5.			*	None	
P-0372	Banks Dep. Ex. 6.			*	None	
P-0373	Banks Dep. Ex. 7.			*	None	
P-0374	Banks Dep. Ex. 8.			*	None	
P-0375	Banks Dep. Ex. 9.			*	None	
P-0376	Banks Dep. Ex. 10.			*	None	
P-0377	Oral Deposition of Herman Robert Settemeyer. Date: 07/10/2024.			*	Rule 32	dep not designated
P-0378	Herman Robert Settemeyer CV. (Settemeyer Dep. Ex. 2).			*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0379	Oral Deposition of Eleftherios Iakovou, Ph.D. Date: 07/11/2024.			*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0380	Expert Opinion Report Prepared by: Eleftherios Iakovou, Ph.D. (Iakovou Dep. Ex. 1). Date: 06/14/2024.			*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0381	Email from Johnathan Stone, to Andrew Knudsen, et al. Terms re: Lefteris Dep. (Iakovou Dep. Ex. 2). Date: 07/11/2024.			*	None	
P-0382	Oral and Videotaped Deposition of Micky Donaldson. Date: 07/18/2024.			*	None	
P-0383	Donaldson Dep. Ex. A.			*	None	
P-0384	Donaldson Dep. Ex. B.			*	None	
P-0385	Donaldson Dep. Ex. C.	US0002301-301	*		None	
P-0386	Donaldson Dep. Ex. D.			*	None	

P-0387	Donaldson Dep. Ex. E.	CBP0000319-319		*	None	
P-0388	Donaldson Dep. Ex. F.			*	None	
P-0389	Videotape Deposition of Margaret Gaffney- Smith. Date: 07/12/2024.			*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0390	Gaffney-Smith Dep. Ex. 1.			*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0391	33 CFR Part 329 Definition of Navigable Waters of the US. (Gaffney-Smith Dep. Ex. 3).			*	None	
P-0392	Aerial photo from drone footage.			*	Vague	No explanation as to substance or purpose of footage.
P-0393	Map.			*	Vague	No explanation as to substance or purpose of footage.
P-0394	Gaffney-Smith Dep. Ex. 6.			*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0395	Aerial photo from drone footage.			*	Vague	No explanation as to substance or purpose of footage.
P-0396	Oral and Videotaped Deposition of Ivan Morua. Date: 07/18/2024.			*	None	
P-0397	Morua Dep. Ex. 1.			*	None	
P-0398	Morua Dep. Ex. 2.			*	None	
P-0399	Morua Dep. Ex. 3.			*	None	
P-0400	Videotaped Oral Deposition of Isela Canava. Date: 07/15/2024.			*	H and I	Hearsay by witness not presented at trial; irrelevant

P-0401	Defendants' Second Amended Notice of Intent to Take Oral and Videotaped Deposition of the U.S. Section of the International Boundary and Water Commission Pursuant to Rule 30(b)(6). (Canava Dep. Ex. 1). Date: 07/09/2024.			*	None	
P-0402	Letter from Brian Lynk, to Ryan Walters. Fed. R. Civ. P. 30(b)(6) witness designations of USIBWC. (Canava Dep. Ex. 2). Date: 07/12/2024.			*	None	
P-0403	Flood and Emergency Operations Manual Amistad Dam and Power Plant Project. Date: April 2024.			*	None	
P-0404	International Boundary and Water Commission (IBWC) United States and Mexico U.S. Section. About Us. (Canava Dep. Ex. 4).			*	None	
P-0405	9 Stat. 928 (Feb. 2, 1848) -- Treaty with the Republic of Mexico, Article VII. (Canava Dep. Ex. 5). Date: 02/02/1848.			*	None	
P-0406	United States v. Rio Grande Dam & Irrigation Co. 174 U.S. 690 (1899). (Canava Dep. Ex. 6). Date: 05/22/1899.			*	None	
P-0407	Convention Between the United States of America and The United States of Mexico. (Canava Dep. Ex. 7). Date: 09/14/1886.			*	None	
P-0408	Binational Border Solutions Strategic Plan Fiscal Years 2021 - 2025. (Canava Dep. Ex. 9). Date: Sept. 2022.			*	None	

P-0409	International Boundary and Water Commission weighs in on new buoy system along the Rio Grande. (Canava Dep. Ex. 10). Date: 06/10/2023.			*	None	
P-0410	IBWC wants to study Texas governor's plans to put buoys in middle of Rio Grande. (Canava Dep. Ex. 11). Date: 06/12/2023.			*	None	
P-0411	The other border dispute is over an 80-year-old water treaty. (Canava Dep. Ex. 12). Date: 06/06/2024.			*	None	
P-0412	Sinkholes in Amistad Dam threaten international border water reservoir. (Canava Dep. Ex. 13). Date: 12/20/2023.			*	None	
P-0413	Status of Deliveries and New Minute. (Canava Dep. Ex. 14).			*	None	
P-0414	USIBWC Stream Gaging Program & Water Data Portal. (Canava Dep. Ex. 15). Date: 04/02/2024.			*	None	
P-0415	30(b)(6) Videotape Deposition of the Coast Guard By and Through Retired Captain Kevin Kiefer and Captain Michael Cintron. Date: 07/17/2024.			*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0416	Defendants' Amended Notice of Intent to Take Oral and Videotaped Deposition of the U.S. Coast Guard Pursuant to Rule 30(b)(6) (30(b)(6) Dep. Ex. 1). Date: 07/16/2024.			*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0417	Oral and Videotaped Deposition of Walker Smith. Date: 07/18/2024.			*	H and I	Hearsay by witness not presented at trial; irrelevant

P-0418	Smith Dep. Ex. 1.			*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0419	Smith Dep. Ex. 2.			*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0420	Smith Dep. Ex. 3.			*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0421	Smith Dep. Ex. 4.			*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0422	Smith Dep. Ex. 5.			*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0423	Smith Dep. Ex. 6.			*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0424	Smith Dep. Ex. 7.			*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0425	Smith Dep. Ex. 7A.			*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0426	Email from J.J. Harder, to Sean Torriente, et al. OS Law Enforcement Brief 21 July. Date: 07/21/2023.	DOS_0031501-501		*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0427	Email from Mark Johnson, to Rachel Poynter, et al. TX Buoy Barrier Ruling. Date: 09/06/2023.	DOS_0035380-382		*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0428	Email from Mark Johnson, to Brian Naranjo. TX Buoy Barrier Ruling. Date: 09/06/2023.	DOS_0050208-209		*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0429	Email from Francisco Sainz, to Maxwell Hamilton, et al. HFAC Request for Brief -- IBWC- 1944 Treaty. Date: 08/18/2023.	DOS_0069265-266		*		
P-0430	Email from Mark Johnson, to Ken Salazar. TX Buoy Barrier Ruling. Date: 09/06/2023.	DOS_0118940-941		*	H and I	Hearsay by witness not presented at trial; irrelevant

P-0431	Email from Eric Jacobstein, to Mark Wells. Readout from Barcena dinner and bilat with S1. Date: 08/10/2023.	DOS_0120030-032		*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0432	Email from Mark Johnson, to Ken Salazar. TX Buoy Barrier Ruling. Date: 09/06/2023.	DOS_0146320-320		*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0434	Memo from "SECSTATE WASHDC". The Secretary's July 21 Conversation with Mexican FS Barcena. Date: 07/28/2023.	DOS_0199858-861	*		H and I	Hearsay by witness not presented at trial; irrelevant
P-0435	Memo from "SECSTATE WASHDC". The Secretary's August 10, 2023, Meeting with Mexican FS Barcena. Date: 08/17/2023.	DOS_0199862-870	*		H and I	Hearsay by witness not presented at trial; irrelevant
P-0436	Memo from "SECSTATE WASHDC". Secretary Blinken's Participation in the January 19, 2024 Migration Ministerial with Mexico. Date: 03/04/2024.	DOS_0199871-883	*		H and I	Hearsay by witness not presented at trial; irrelevant
P-0437	Daily Activity Report. Date: 07/17/2023.	DOS_0199884-889		*	None	
P-0438	Email from Francisco Sainz, to Francisco Sainz. Translation letter. Request intervention on the removal of barriers along the Rio Grande Floodplain. Date: 04/12/2024.	DOS0191798-798		*	None	
P-0440	Email from Ramon Macias, to Padinare Unnikrishna, et al. Report on floating barriers. Date: 07/25/2023.	IBWC0004304-308		*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0441	Email from Jennifer Pena, to Sally Spener, et al. AMLO Comments on Rio Grande Barriers. Date: 07/27/2023.	IBWC0005709-710		*	H and I	Hearsay by witness not presented at trial; irrelevant

P-0442	Email from Jennifer Pena, to Francisco Sainz, et al. UPDATE re: "inflatable" Wall on water? Date: 08/05/2023.	IBWC0006146-152		*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0443	Email from Francisco Sainz, to Sally Spener, et al. News reports - TX buoys are in Mexico, Mx sends dip note RE: AMLO Comments on Rio Grande Barriers. Date: 07/27/2023.	IBWC0006687-690		*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0444	Regulatory Decision Sheet. Date: 04/08/2002.	USACE0000113-235		*	None	
P-0445	Regulatory Decision Sheet. Date: 06/10/2002.	USACE0000241-294		*	None	
P-0446	Regulatory Actions.	USACE0000295-382		*	None	
P-0447	Regulatory Decision Sheet. Date: 10/29/1991.	USACE0000383-384		*	None	
P-0448	Letter from Wayne Lea, to A. Brad Groves. Proposal by the city of Eagle Pass to construct a boat ramp and conduct bank stabilization work on the Rio Grande River. Date: 01/30/1991.	USACE0000385-390		*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0449	Navigable Waters of the United States in the Fort Worth, Albuquerque, and Tulsa Districts Within the State of Texas. Date: 03/20/1999.	USACE0000502-502		*	None	
P-0450	USACE spreadsheet of TX permits.	USACE0006646-646		*	None	
P-0451	Email from Neil Lebsock, to Calvin Kroeger. Chief's RFI. Date: 10/23/2023.	USACE0007998-001		*	None	

P-0452	Definition of Navigable Waters of the United States, 37 Fed. Reg. 18,289 (Sep. 9, 1972). Date: 09/09/1972.	USACE0008329-332		*	None	
P-0453	List of Bridges Over the Navigable Waters of the United States. Date: 1927.	USACE0008333-827		*	None	
P-0454	Granting consent of Congress to Texas-Coahuila Bridge Company for construction of a bridge across the Rio Grande between Eagle Pass, Texas, and Piedras Negras, Mexico. H.R. 4034, 69th Cong. (1926). Date: 02/02/1926.	USACE0009245-246		*	None	
P-0455	Bridge Across the Rio Grande at Eagle Pass, Tex. Report. Date: 04/19/1926.	USACE0009247-248		*	None	
P-0456	Title 33 - Navigation and Navigable Waters, Chapter II - Corps of Engineers, War Department. Date: 10/29/1946.	USACE0009249-251		*	None	
P-0457	Environmental Assessment for Facilities Expansion at Naval Nuclear Power Training Unit-Charleston (NPTU Charleston), Joint Base Charleston, South Carolina. Date: Sept. 2012.	USACE0009487-834		*	I	Not relevant to claims at issue.
P-0458	RioGrande_Spatial_MAR1975 Date: March 1975.	USACE0011072-072		*	None	
P-0459	Environmental Handbook. Water Resources. Date: Aug. 2023.	USACE0011155-187		*	None	
P-0460	Email from Pete Crum, to "MRC - jpa Permits", et al. JPA SUBMITTAL: Norfolk Naval Shipyard (Portsmouth VA) - Waterfront Port Security Barrier System Installation. Date: 11/15/2016.	USACE0011392-413		*	H and I	Hearsay by witness not presented at trial; irrelevant

P-0461	Email from "MRC - jpa Permits", to Lou Atkins. MHI Lambert's Point Force Protection. Date: 08/17/2014.	USACE0011443-457		*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0462	Letter from Stephen Decker, to Louis Pfingst. Department of the Army permit application to construct a Port Security Barrier. Date: 01/14/2015.	USACE0011473-475		*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0463	Email from Jessica Barker, to "MRC - jpa Permits". Permit Application for the Installation of New Anchors for the Existing Port Security Barrier System at Naval Station Norfolk, Norfolk, VA. Date: 10/25/2012.	USACE0011488-500		*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0464	Letter from Kimberly Prisco-Baggett, to W. David Noble. Department of the Army permit application to upgrade the existing Port Security Barrier system. Date: 04/09/2013.	USACE0011520-531		*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0465	Email from Michael Anderson, to Marshall Smith, et al. Navy Waterfront Barrier at Naval Station. Date: 03/11/2013.	USACE0011533-536		*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0466	Letter from J. Robert Hume, to Commander Navy Region. Proposed Barrier at the Norfolk Naval Base. Date: 02/10/2005.	USACE0011537-538		*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0467	Email from Michael Anderson, to Stephen Powell, et al. Review of recent submittals from U.S. Navy (Waterfront Anti-Terrorism Barrier). Date: 03/11/2013.	USACE0011548-551		*		

P-0468	Email from Rebecca Francese, to "MRC - jpa Permits", et al. BAE Systems - Security Barrier, Norfolk, VA. Date: 05/24/2013.	USACE0011556-567		*		
P-0469	Email from Justine Woodward, to Beth Howell. BAE Security Barrier - Section 408 Review. Date: 06/29/2015.	USACE0011568-580		*		
P-0470	Memorandum for Records. Department of the Army Memorandum Documenting General Permit Verification. Date: 09/15/2015.	USACE0011581-588		*		
P-0471	Memorandum for Record. Department of the Army Memorandum Documenting Nationwide Permit Verification/General Permit Verification. Date: 09/17/2013.	USACE0011589-622		*		
P-0472	Letter from Kimberly Prisco-Baggett, to Eddie Goldman. Department of the Army application to install 685 linear feet of security barrier. Date: 09/17/2013.	USACE0011623-630		*		
P-0473	Letter from Brian Denson, to Eddie Goldman. Department of the Army application to install 3,877 linear feet of a floating security barrier. Date: 09/15/2015.	USACE0011631-637		*		
P-0474	Memorandum for Record. Department of the Army Memorandum Documenting General Permit Verification. Date: 05/18/2015.	USACE0011742-746		*		
P-0475	Letter from Sage Joyce, to Michael Jones. Department of the Army application to temporarily install a 350 linear foot floating security barrier. Date: 05/18/2015.	USACE0011773-774		*		

P-0476	Letter from Robert Flowers, to Secretary of the Army. Gulf Intracoastal Waterway, Brazos River to Port O'Connor, Matagorda Bay Re-Route, Texas. Date: 12/24/2002.	USACE0011972-974		*		
P-0477	Fact Sheet. Intracoastal Waterway Jacksonville to Miami, FL. Date: May 2024.	USACE0011991-992		*		
P-0478	Fact Sheet. Atlantic Intracoastal Waterway - Norfolk to St. Johns. Date: May 2023.	USACE0011993-994		*	R	Not relevant because addresses dredging/reasonable improvements argument, which USA has represented it is not making at trial.
P-0479	Fact Sheet Operation and Maintenance. Date: 04/02/2024.	USACE0011996-996		*	R	Not relevant because addresses dredging/reasonable improvements argument, which USA has represented it is not making at trial.
P-0480	Fact Sheet Operation and Maintenance. Date: 04/02/2024.	USACE0011997-997		*	R	Not relevant because addresses dredging/reasonable improvements argument, which USA has represented it is not making at trial.
P-0481	Fact Sheet Gulf Intracoastal Waterway, TX Operation and Maintenance. Date: 06/18/2024.	USACE0012004-007		*	R	Not relevant because addresses dredging/reasonable improvements argument, which USA has represented it is not making at trial; document discusses work not within the segment of the Rio Grande at issue in this case.

P-0482	The Gulf Intracoastal Waterway Project.	USACE0012011-014		*	R	Not relevant because addresses dredging/reasonable improvements argument, which USA has represented it is not making at trial; document discusses waterway outside of the segment of river at issue in this case.
P-0483	Gulf Intracoastal Waterway (GIWW) Caloosahatchee River to Anclote River Dredge Readiness and Operation Plan (DROP). Date: 02/07/2019.	USACE0012015-039		*	R	Not relevant because addresses dredging/reasonable improvements argument, which USA has represented it is not making at trial.
P-0484	Jacksonville District AIWW/IWW Update. Date: 11/13/2023.	USACE0012116-129		*	R	Not relevant because addresses dredging/reasonable improvements argument, which USA has represented it is not making at trial.
P-0485	Atlantic Intracoastal Waterway Between <redacted> Norfolk, VA., and the St. Johns River, Florida. Date: 09/30/1996.	USACE0012131-132		*	R	Not relevant because addresses dredging/reasonable improvements argument, which USA has represented it is not making at trial.
P-0486	Intracoastal Waterway, Jacksonville to Miami, Florida. Date: 09/30/1996.	USACE0012135-137		*	R	Not relevant because addresses dredging/reasonable improvements argument, which USA has represented it is not making at trial.

P-0487	Olmsted Locks and Dam Project. Date: 10/05/2021.	USACE0012205-208		*	R	Not relevant because addresses dredging/reasonable improvements argument, which USA has represented it is not making at trial.
P-0488	Photograph.	CBP0000067-067	*		none	
P-0489	DPS and TNG Deployment of Floating Barrier System. Date: 06/14/2023.	CBP0000089-090	*		none	
P-0490	Photograph.	CBP0000232-232	*		none	
P-0491	Email. Daily Report - Water Buoy. Date: 07/11/2023.	CBP0000252-253	*		none	
P-0492	Buoy Project Daily Report 7.10.2023. Date: 07/10/2023.	CBP0000254-259	*		none	
P-0493	Cochrane//DPS Weekly Check In 7.21.23. Date: 07/21/2023.	CBP0000262-263	*		none	
P-0494	DPS//Cochrane Weekly Check In 7.21.23. Date: 07/21/2023.	CBP0000264-269	*		none	
P-0495	Turn the Tide.	CBP0000271-281	*		none	
P-0496	Photograph.	CBP0000329-329	*		none	
P-0497	Email to "DRS-SBPA". Situational Awareness: DPS Buoys in EGT AO. Date: 07/14/2023.	CBP0000766-766	*		none	
P-0498	Photograph.	CBP0000771-771	*		none	
P-0499	Photograph.	CBP0000772-772	*		none	

P-0500	Photograph.	CBP0000773-773	*		none	
P-0501	Photograph.	CBP0000774-774	*		none	
P-0502	Photograph.	CBP0000775-775	*		none	
P-0503	Photograph.	CBP0000776-776	*		none	
P-0504	Photograph.	CBP0000777-777	*		none	
P-0505	Photograph.	CBP0000778-778	*		none	
P-0506	Photograph.	CBP0000798-798	*		none	
P-0507	Memo from Maria-Elena Giner, to Adrianna Resendez Maldonado. Regarding activities carried out by the State of Texas in the Rio Grande channel in the area of Eagle Pass, Texas. Date: 07/28/2023.	IBWC0004404-405		*	A, H	Authentication, hearsay; defendants cannot cross examine the document's author or recipient.
P-0508	Ancil Taylor Supplemental Report Spreadsheet. Date: 07/01/2024.			*	none	
P-0509	John Timmel Site Visit Photograph.	US0003573-573		*	none	
P-0510	John Timmel Site Visit Photograph.	US0003574-574		*	none	
P-0511	John Timmel Site Visit Photograph.	US0003575-575		*	none	
P-0512	John Timmel Site Visit Photograph.	US0003576-576		*	none	
P-0513	John Timmel Site Visit Photograph.	US0003577-577		*	none	
P-0514	John Timmel Site Visit Photograph.	US0003578-578		*	none	
P-0515	John Timmel Site Visit Photograph.	US0003579-579		*	none	
P-0516	John Timmel Site Visit Photograph.	US0003580-580		*	none	
P-0517	John Timmel Site Visit Photograph.	US0003581-581		*	none	

P-0518	John Timmel Site Visit Photograph.	US0003582-582		*	none	
P-0519	John Timmel Site Visit Photograph.	US0003583-583		*	none	
P-0520	John Timmel Site Visit Photograph.	US0003584-584		*	none	
P-0521	John Timmel Site Visit Photograph.	US0003585-585		*	none	
P-0522	John Timmel Site Visit Photograph.	US0003586-586		*	none	
P-0523	John Timmel Site Visit Photograph.	US0003587-587		*	none	
P-0524	John Timmel Site Visit Photograph.	US0003588-588		*	none	
P-0525	John Timmel Site Visit Photograph.	US0003589-589		*	none	
P-0526	John Timmel Site Visit Photograph.	US0003590-590		*	none	
P-0527	John Timmel Site Visit Photograph.	US0003591-591		*	none	
P-0528	John Timmel Site Visit Photograph.	US0003592-592		*	none	
P-0529	John Timmel Site Visit Photograph.	US0003593-593		*	none	
P-0530	John Timmel Site Visit Photograph.	US0003594-594		*	none	
P-0531	John Timmel Site Visit Photograph.	US0003595-595		*	none	
P-0532	John Timmel Site Visit Photograph.	US0003596-596		*	none	
P-0533	John Timmel Site Visit Photograph.	US0003597-597		*	none	
P-0534	John Timmel Site Visit Photograph.	US0003598-598		*	none	
P-0535	John Timmel Site Visit Photograph.	US0003599-599		*	none	
P-0536	John Timmel Site Visit Photograph.	US0003600-600		*	none	
P-0537	John Timmel Site Visit Photograph.	US0003601-601		*	none	
P-0538	John Timmel Site Visit Photograph.	US0003602-602		*	none	
P-0539	John Timmel Site Visit Photograph.	US0003603-603		*	none	
P-0540	John Timmel Site Visit Video.	US0003604-604		*	none	
P-0541	John Timmel Site Visit Video.	US0003605-605		*	none	
P-0542	John Timmel Site Visit Video.	US0003606-606		*	none	
P-0543	Mike Chapman Site Visit Photograph.	US0003607-607		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.

P-0544	Mike Chapman Site Visit Photograph.	US0003608-608		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0545	Mike Chapman Site Visit Photograph.	US0003609-609		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0546	Mike Chapman Site Visit Photograph.	US0003610-610		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0547	Mike Chapman Site Visit Photograph.	US0003611-611		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0548	Mike Chapman Site Visit Photograph.	US0003612-612		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0549	Mike Chapman Site Visit Photograph.	US0003613-613		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0550	Mike Chapman Site Visit Photograph.	US0003614-614		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0551	Mike Chapman Site Visit Photograph.	US0003615-615		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0552	Mike Chapman Site Visit Photograph.	US0003616-616		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0553	Mike Chapman Site Visit Photograph.	US0003617-617		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.

P-0554	Mike Chapman Site Visit Photograph.	US0003618-618		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0555	Mike Chapman Site Visit Photograph.	US0003619-619		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0556	Mike Chapman Site Visit Photograph.	US0003620-620		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0557	Mike Chapman Site Visit Photograph.	US0003621-621		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0558	Mike Chapman Site Visit Photograph.	US0003622-622		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0559	Mike Chapman Site Visit Photograph.	US0003623-623		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0560	Mike Chapman Site Visit Photograph.	US0003624-624		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0561	Mike Chapman Site Visit Photograph.	US0003625-625		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0562	Mike Chapman Site Visit Photograph.	US0003626-626		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0563	Mike Chapman Site Visit Photograph.	US0003627-627		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.

P-0564	Mike Chapman Site Visit Photograph.	US0003628-628		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0565	Mike Chapman Site Visit Photograph.	US0003629-629		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0566	Mike Chapman Site Visit Photograph.	US0003630-630		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0567	Mike Chapman Site Visit Photograph.	US0003631-631		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0568	Mike Chapman Site Visit Photograph.	US0003632-632		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0569	Mike Chapman Site Visit Photograph.	US0003633-633		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0570	Mike Chapman Site Visit Photograph.	US0003634-634		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0571	Mike Chapman Site Visit Photograph.	US0003635-635		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0572	Mike Chapman Site Visit Photograph.	US0003636-636		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0573	Mike Chapman Site Visit Photograph.	US0003637-637		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.

P-0574	Mike Chapman Site Visit Photograph.	US0003638-638		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0575	Mike Chapman Site Visit Photograph.	US0003639-639		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0576	Mike Chapman Site Visit Photograph.	US0003640-640		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0577	Mike Chapman Site Visit Photograph.	US0003641-641		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0578	Mike Chapman Site Visit Photograph.	US0003642-642		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0579	Mike Chapman Site Visit Photograph.	US0003643-643		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0580	Mike Chapman Site Visit Photograph.	US0003644-644		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0581	Mike Chapman Site Visit Photograph.	US0003645-645		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0582	Mike Chapman Site Visit Photograph.	US0003646-646		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0583	Mike Chapman Site Visit Photograph.	US0003647-647		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.

P-0584	Mike Chapman Site Visit Photograph.	US0003648-648		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0585	Mike Chapman Site Visit Photograph.	US0003649-649		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0586	Mike Chapman Site Visit Photograph.	US0003650-650		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0587	Mike Chapman Site Visit Photograph.	US0003651-651		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0588	Mike Chapman Site Visit Photograph.	US0003652-652		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0589	Mike Chapman Site Visit Photograph.	US0003653-653		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0590	Mike Chapman Site Visit Photograph.	US0003654-654		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0591	Mike Chapman Site Visit Photograph.	US0003655-655		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0592	Mike Chapman Site Visit Photograph.	US0003656-656		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0593	Mike Chapman Site Visit Photograph.	US0003657-657		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.

P-0594	Mike Chapman Site Visit Photograph.	US0003658-658		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0595	Mike Chapman Site Visit Photograph.	US0003659-659		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0596	Mike Chapman Site Visit Photograph.	US0003660-660		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0597	Mike Chapman Site Visit Photograph.	US0003661-661		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0598	Mike Chapman Site Visit Photograph.	US0003662-662		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0599	Mike Chapman Site Visit Photograph.	US0003663-663		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0600	Mike Chapman Site Visit Photograph.	US0003664-664		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0601	Mike Chapman Site Visit Photograph.	US0003665-665		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0602	Mike Chapman Site Visit Photograph.	US0003666-666		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0603	Mike Chapman Site Visit Photograph.	US0003667-667		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.

P-0604	Mike Chapman Site Visit Photograph.	US0003668-668		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0605	Mike Chapman Site Visit Photograph.	US0003669-669		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0606	Mike Chapman Site Visit Photograph.	US0003670-670		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0607	Mike Chapman Site Visit Photograph.	US0003671-671		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0608	Mike Chapman Site Visit Photograph.	US0003672-672		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0609	Mike Chapman Site Visit Photograph.	US0003673-673		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0610	Mike Chapman Site Visit Photograph.	US0003674-674		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0611	Mike Chapman Site Visit Photograph.	US0003675-675		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0612	Mike Chapman Site Visit Photograph.	US0003676-676		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0613	Mike Chapman Site Visit Photograph.	US0003677-677		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.

P-0614	Mike Chapman Site Visit Photograph.	US0003678-678		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0615	Mike Chapman Site Visit Photograph.	US0003679-679		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0616	Mike Chapman Site Visit Photograph.	US0003680-680		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0617	Mike Chapman Site Visit Photograph.	US0003681-681		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0618	Mike Chapman Site Visit Photograph.	US0003682-682		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0619	Mike Chapman Site Visit Photograph.	US0003683-683		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0620	Mike Chapman Site Visit Photograph.	US0003684-684		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0621	Mike Chapman Site Visit Photograph.	US0003685-685		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0622	Mike Chapman Site Visit Photograph.	US0003686-686		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0623	Mike Chapman Site Visit Photograph.	US0003687-687		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.

P-0624	Mike Chapman Site Visit Photograph.	US0003688-688		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0625	Mike Chapman Site Visit Photograph.	US0003689-689		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0626	Mike Chapman Site Visit Photograph.	US0003690-690		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0627	Mike Chapman Site Visit Photograph.	US0003691-691		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0628	Mike Chapman Site Visit Photograph.	US0003692-692		*	A	Authentication; object to witness being called during plaintiff's case-in-chief.
P-0629	Tim MacAllister Site Visit Photograph.	US0003804-804		*	H, R, UP, A	Hearsay, relevance, unfair prejudice, authentication; Plaintiff did not designate Mr. MacAllister as a testifying witness, the document is hearsay, and Mr. MacAllister's testimony discusses reasonable improvements, which is an argument Plaintiff has represented will not make at trial.

P-0630	Tim MacAllister Site Visit Photograph.	US0003805-805		*	H, R, UP, A	Hearsay, relevance, unfair prejudice, authentication; Plaintiff did not designate Mr. MacAllister as a testifying witness, the document is hearsay, and Mr. MacAllister's testimony discusses reasonable improvements, which is an argument Plaintiff has represented will not make at trial.
P-0631	Tim MacAllister Site Visit Photograph.	US0003806-806		*	H, R, UP, A	Hearsay, relevance, unfair prejudice, authentication; Plaintiff did not designate Mr. MacAllister as a testifying witness, the document is hearsay, and Mr. MacAllister's testimony discusses reasonable improvements, which is an argument Plaintiff has represented will not make at trial.
P-0632	Tim MacAllister Site Visit Photograph.	US0003807-807		*	H, R, UP, A	Hearsay, relevance, unfair prejudice, authentication; Plaintiff did not designate Mr. MacAllister as a testifying witness, the document is hearsay, and Mr. MacAllister's testimony discusses reasonable improvements, which is an argument Plaintiff has represented will not make at trial.

P-0633	Tim MacAllister Site Visit Photograph.	US0003808-808		*	H, R, UP, A	Hearsay, relevance, unfair prejudice, authentication; Plaintiff did not designate Mr. MacAllister as a testifying witness, the document is hearsay, and Mr. MacAllister's testimony discusses reasonable improvements, which is an argument Plaintiff has represented will not make at trial.
P-0634	Tim MacAllister Site Visit Photograph.	US0003809-809		*	H, R, UP, A	Hearsay, relevance, unfair prejudice, authentication; Plaintiff did not designate Mr. MacAllister as a testifying witness, the document is hearsay, and Mr. MacAllister's testimony discusses reasonable improvements, which is an argument Plaintiff has represented will not make at trial.
P-0635	Benjamin Johnson Site Visit Photograph.	US0003810-810		*	none	
P-0651	Benjamin Johnson Site Visit Photograph.	US0003826-826		*	none	
P-0661	Letter from Crawford Martin, to J.R. Singleton. Liability of State for injuries caused by bulkhead bounding San Jacinto State Park & Houston Ship Channel and State's recourse against Corps of Engineers who maintain Houston Ship Channel. Date: 05/01/1969.	US0003919-923		*	R	Not relevant to the claims at issue in this case.

P-0662	Letter from Crawford Martin, to John Allen. State and Federal Relations as to Texas streams -- both as to projects and water uses. Date: 11/24/1970.	US0003924-933		*	R	Not relevant to the claims at issue in this case.
P-0663	Letter from Charles Lind, to James Morris. Whether a navigable bayou located wholly in Orange County, Texas, is subject to the provisions of the River and Harbor Act of Congress, and also whether the construction across said bayou of a fixed span bridge with a vertical clearance of 35 feet is taking of property for which the State or County would be liable to an upstream landowner whose ships require a minimum vertical clearance of 55 feet. Date: 12/31/1964.	US0003934-938		*	R	Not relevant to the claims at issue in this case.
P-0664	PI Hearing Transcript. Date: 08/22/2023.			*	none	Already in evidence.
P-0665	Oral and Videotaped Deposition of Neil Lebsock. Date: 07/08/2024.			*	H	Hearsay; plaintiff did not designate deposition excerpts from Mr. Lebsock's deposition in its pretrial filings.
P-0667	Plaintiff's Amended Response to Defendants' First Set of Interrogatories to Plaintiff. (Lebsock Dep. Ex. 2). Date: 05/03/2024.			*	Relevance or, alternatively, undue delay, waste of time, needless presentation of cumulative evidence	This document is superceded by subsequent amendments and irrelevant to the claims at issue in this case

P-0668	Oral Videotaped Deposition Hillary Quam. Date: 07/09/2024.			*	H and I	Hearsay by witness not presented at trial; irrelevant
P-0669	Treaty and Non-Treaty Mechanisms for Resolving the Rio Grande River Water Debt Dilemma. (Quam Dep. Ex. 1). Date: 12/12/2022.			*	Hearsay, needless presentation of cumulative evidence	This document is hearsay, is unfair because Defendants cannot cross examine its recipients and author, and is needlessly cumulative of other evidence
P-0670	Mexico-U.S. Joint Communique: Mexico and the United States Reaffirm Their Shared Commitments on an Orderly, Humane and Regular Migration. (Quam Dep. Ex. 2). Date: 12/28/2023.			*	I	Not relevant to the claims at issue in this case.
P-0671	Operation Lone Star. Date: July 2023.	STATE_004380-388		*	H	Report of border situation; author is not a witness
P-0672	Operation Lone Star. Date: July 2023.	STATE_004547-555		*	H	Report of border situation; author is not a witness
P-0673	Operation Lone Star. Date: July 2023.	STATE_004571-579		*	H	Report of border situation; author is not a witness
P-0674	Email TF Eagle River Barrier Storyboard. Date: 02/02/2023.	STATE_004694-695		*	H	
P-0675	River Barrier Survey. Date: Feb. 2023.	STATE_004696-697		*	H and I	Parties already stipulated buoys were placed by Texas and the buoys described are not the ones used by Texas
P-0676	River Barrier Survey. Date: Feb. 2023.	STATE_004698-699		*	H and I	Parties already stipulated buoys were placed by Texas and the buoys described are not the ones used by Texas
P-0677	Email DPS Buoy Proposal. Date: 04/03/2023.	STATE_004700-740		*	H	

P-0678	Turn the Tide.	STATE_004761-771		*	H	
P-0679	Texas Turns the Tide.	STATE_004772-789		*	H and I	Parties already stipulated buoys were placed by Texas and the buoys' location shown is not the actual location, which the parties have also stipulated to.
P-0680	River Barrier Survey. Date: 02/01/2023.	STATE_004790-791		*	H,I, and cumulative	Parties already stipulated buoys were placed by Texas and the buoys described are not the ones used by Texas; duplicative of P-0675.
P-0681	River Barrier Survey. Date: 02/01/2023.	STATE_004794-795		*	H,I, and cumulative	Parties already stipulated buoys were placed by Texas and the buoys described are not the ones used by Texas; duplicative of P-0675.
P-0682	Email DPS//Cochrane Weekly Check In 6.9.2023. Date: 06/10/2023.	STATE_004801-803		*	H	None of the writers of these emails are witnesses
P-0683	Memo Trip Report from J5 Team visit to TF Eagle Area of Operations (AO). Date: 05/04/2023.	STATE_004824-826		*	H	writer of letter is not a witness
P-0684	Memo Trip Report from J5 Team visit to TF Eagle Area of Operations (AO). Date: 05/04/2023.	STATE_004829-831		*	H	writer of letter is not a witness
P-0685	Operation Lone Star. Date: March 2024.	STATE_004985-993		*	H	Report of border situation; author is not a witness
P-0686	Operation Lone Star. Date: March 2024.	STATE_005003-012		*	H, C	Report of border situation; author is not a witness; cumulative of P-0686

P-0687	Email Boat Information. Date: 12/01/2023.	STATE_005071-072		*	H	None of the writers of these emails are witnesses
P-0688	Coastal Bend Airboats invoice. Date: 05/30/2023.	STATE_005073-074		*	I	Contact for airboats, which are not relevant to whether commercial navigation is present.
P-0689	Transport Boats invoice. Date: 06/07/2023.	STATE_005075-076		*	I	Contact for transport boats, which are not relevant to whether commercial navigation is present.
P-0690	Email Boats. Date: 12/01/2023.	STATE_005077-078		*	H and I	None of the writers of these emails are witnesses. Email is regarding potential purchase of airboats, which are not relevant to whether commercial navigation is present
P-0691	EmbeddedFile6.xlsx	STATE_005169-169		*	H and I	Excel sheet with boat totals; all boats are small boats, not relevant to the question of commercial navigation
P-0692	Operation Lone Star. Date: June 2023.	STATE_005811-820		*	H	Report of border situation
P-0693	Email JTF-LS 200900JUL2023 COP Date: 07/20/2023.	STATE_005876-881		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.
P-0694	Email JTF-LS 210900JUL2023 COP Date: 7/21/2023.	STATE_006013-018		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.

P-0695	Operation Lone Star. Date: June 2023.	STATE_006324-333		*	H, C	Report of border situation; author is not a witness; duplicate of P-0692
P-0696	Email JTF-LS 250900JAN2024 COP Date: 01/25/2024.	STATE_006496-502		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.
P-0697	Email JTF-LS 300900JUL2023 COP Date: 07/30/2023.	STATE_007059-064		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.
P-0698	CONOP: Operation Flat Top. Date: 09/12/2023.	STATE_007205-205		*	H	Report of border situation; author is not a witness
P-0699	Email Buoy Info Eagle Pass. Date: 06/16/2023.	STATE_007901-902		*	H and I	writer of email is not a witness; contains info on buoys that has been superseded by current buoys information, which has been stipulated.
P-0700	Email DPS//Cochrane Weekly Check In 6.16.2023. Date: 06/20/2023.	STATE_007906-908		*	H and I	writer of email is not a witness; contains info on buoys that has been superseded by current buoys information, which has been stipulated.
P-0701	Email River Barrier Survey. Date: 02/02/2023.	STATE_007936-937		*	H,I, and cumulative	Parties already stipulated buoys were placed by Texas and the buoys described are not the ones used by Texas; near-duplicate of P-0675.

P-0702	River Barrier Survey. Date: 02/01/2023.	STATE_007938-939		*	H,I, and cumulative	Parties already stipulated buoys were placed by Texas and the buoys described are not the ones used by Texas; duplicative of P-0675.
P-0703	Email Border Protection Alternative Technologies. Date: 01/04/2023.	STATE_007963-965		*	None	
P-0704	Operation Lone Star. Date: Sept. 2023.	STATE_008254-263		*	H	Report of border situation; author is not a witness
P-0705	Operation Lone Star. Date: Aug. 2023.	STATE_008272-280		*	H	Report of border situation; author is not a witness
P-0706	Operation Lone Star. Date: Aprl 2023.	STATE_008289-298		*	H	Report of border situation; author is not a witness
P-0707	Operation Lone Star. Date: July 2023.	STATE_008338-346		*	H	Report of border situation; author is not a witness
P-0708	Operation Lone Star. Date: June 2023.	STATE_008353-363		*	H	Report of border situation; author is not a witness
P-0709	Operation Lone Star. Date: May 2023.	STATE_008392-401		*	H	Report of border situation; author is not a witness
P-0710	Operation Lone Star. Date: Aug. 2023.	STATE_008405-413		*	H	Report of border situation; author is not a witness
P-0711	Operation Lone Star. Date: Dec. 2023.	STATE_008417-425		*	H	Report of border situation; author is not a witness
P-0712	Operation Lone Star. Date: Feb. 2024.	STATE_008431-439		*	H	Report of border situation; author is not a witness
P-0713	Email JTF-LS 020900JAN2024. Date: 01/02/2024.	STATE_008440-446		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.

P-0714	Operation Lone Star. Date: Jan. 2024.	STATE_008449-457		*	H	Report of border situation; author is not a witness
P-0715	Operation Lone Star. Date: Nov. 2023.	STATE_008466-475		*	H	Report of border situation; author is not a witness
P-0716	Email JTF-LS 020900OCT2023 COP. Date: 10/02/2023.	STATE_008476-481		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.
P-0717	Operation Lone Star. Date: Sep. 2023.	STATE_008497-506		*	H	Report of border situation; author is not a witness
P-0718	Operation Lone Star. Date: April 2023.	STATE_008515-524		*	H	Report of border situation; author is not a witness
P-0719	Operation Lone Star. Date: June 2023.	STATE_008566-575		*	H	Report of border situation; author is not a witness
P-0720	Operation Lone Star. Date: Dec. 2023.	STATE_008616-624		*	H	Report of border situation; author is not a witness
P-0721	Operation Lone Star. Date: Nov. 2023.	STATE_008640-649		*	H	Report of border situation; author is not a witness
P-0722	Operation Lone Star. Date: Oct. 2023.	STATE_008653-662		*	H	Report of border situation; author is not a witness
P-0723	Operation Lone Star. Date: Sep. 2023.	STATE_008666-675		*	H	Report of border situation; author is not a witness
P-0724	Email JTF-LS 040700APR2023 COP. Date: 04/04/2023.	STATE_008676-677		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.
P-0725	Operation Lone Star. Date: April 2023.	STATE_008684-693		*	H	Report of border situation; author is not a witness
P-0726	Operation Lone Star. Date: June 2023.	STATE_008735-744		*	H	Report of border situation; author is not a witness

P-0727	Operation Lone Star. Date: May 2023.	STATE_008771-780		*	H	Report of border situation; author is not a witness
P-0728	Operation Lone Star. Date: Aug. 2023.	STATE_008784-792		*	H	Report of border situation; author is not a witness
P-0729	Email JTF-LS 040900DEC2023 COP - _UNCLASSIFIED - 2023-12-04T14 38 48 730Z Date: 12/04/2023.	STATE_008793-799		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.
P-0730	Operation Lone Star. Date: Dec. 2023.	STATE_008802-810		*	H	Report of border situation; author is not a witness
P-0731	Operation Lone Star. Date: Nov. 2023.	STATE_008832-841		*	H	Report of border situation; author is not a witness
P-0732	Operation Lone Star. Date: Oct. 2023.	STATE_008845-854		*	H	Report of border situation; author is not a witness
P-0733	Operation Lone Star. Date: April 2023.	STATE_008863-872		*	H	Report of border situation; author is not a witness
P-0734	Operation Lone Star. Date: June 2023.	STATE_008912-921		*	H	Report of border situation; author is not a witness
P-0735	Operation Lone Star. Date: June2023.	STATE_008948-957		*	H	Report of border situation; author is not a witness
P-0736	Operation Lone Star. Date: Aug. 2023.	STATE_008961-969		*	H	Report of border situation; author is not a witness
P-0737	Operation Lone Star. Date: Dec. 2023.	STATE_008974-982		*	H	Report of border situation; author is not a witness
P-0738	Email JTF-LS 050900JUL2023 COP. Date: 07/05/2023.	STATE_008995-999		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.
P-0739	Operation Lone Star. Date: July 2023.	STATE_009002-010		*	H	Report of border situation; author is not a witness

P-0740	Operation Lone Star. Date: Nov. 2023.	STATE_009014-023		*	H	Report of border situation; author is not a witness
P-0741	Operation Lone Star. Date: Oct. 2023.	STATE_009032-041		*	H	Report of border situation; author is not a witness
P-0742	Operation Lone Star. Date: Sep. 2023.	STATE_009045-054		*	H	Report of border situation; author is not a witness
P-0743	Operation Lone Star. Date: April 2023.	STATE_009063-072		*	H	Report of border situation; author is not a witness
P-0744	Operation Lone Star. Date: June 2023.	STATE_009112-121		*	H	Report of border situation; author is not a witness
P-0745	Operation Lone Star. Date: May 2023.	STATE_009148-157		*	H	Report of border situation; author is not a witness
P-0746	Operation Lone Star. Date: Aug. 2023.	STATE_009161-169		*	H	Report of border situation; author is not a witness
P-0747	Operation Lone Star. Date: Dec. 2023.	STATE_009174-182		*	H	Report of border situation; author is not a witness
P-0748	Operation Lone Star. Date: Jan. 2024.	STATE_009184-192		*	H	Report of border situation; author is not a witness
P-0749	Email JTF-LS 060900NOV2023 CDRs SITREP. Date: 11/06/2023.	STATE_009203-208		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.
P-0750	Operation Lone Star. Date: Oct. 2023.	STATE_009224-233		*	H	Report of border situation; author is not a witness
P-0751	Operation Lone Star. Date: Sep. 2023.	STATE_009237-246		*	H	Report of border situation; author is not a witness
P-0752	Operation Lone Star. Date: April 2023.	STATE_009255-264		*	H	Report of border situation; author is not a witness
P-0753	Operation Lone Star. Date: June 2023.	STATE_009305-314		*	H	Report of border situation; author is not a witness

P-0754	Operation Lone Star. Date: May 2023.	STATE_009335-344		*	H	Report of border situation; author is not a witness
P-0755	Operation Lone Star. Date: Aug. 2023.	STATE_009366-374		*	H	Report of border situation; author is not a witness
P-0756	Operation Lone Star. Date: Dec. 2023.	STATE_009384-392		*	H	Report of border situation; author is not a witness
P-0757	Operation Lone Star. Date: Jan. 2024.	STATE_009394-402		*	H	Report of border situation; author is not a witness
P-0758	Operation Lone Star. Date: Nov. 2023.	STATE_009416-425		*	H	Report of border situation; author is not a witness
P-0759	Operation Lone Star. Date: Oct. 2023.	STATE_009430-439		*	H	Report of border situation; author is not a witness
P-0760	Operation Lone Star. Date: Sep. 2023.	STATE_009448-457		*	H	Report of border situation; author is not a witness
P-0761	Operation Lone Star. Date: April 2023.	STATE_009466-475		*	H	Report of border situation; author is not a witness
P-0762	Operation Lone Star. Date: May 2023.	STATE_009551-560		*	H	Report of border situation; author is not a witness
P-0763	Operation Lone Star. Date: Aug. 2023.	STATE_009564-572		*	H	Report of border situation; author is not a witness
P-0764	Operation Lone Star. Date: Dec. 2023.	STATE_009576-584		*	H	Report of border situation; author is not a witness
P-0765	Email JTF-LS 080900DEC2024 CDR SITREP. Date: 01/08/2024.	STATE_009585-592		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.
P-0766	Operation Lone Star. Date: Jan. 2024.	STATE_009595-603		*	H	Report of border situation; author is not a witness

P-0767	Email JTF-LS 080900JUL2023 COP. Date: 07/08/2023.	STATE_009604-608		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.
P-0768	Operation Lone Star. Date: July 2023.	STATE_009611-619		*	H	Report of border situation; author is not a witness
P-0769	Email JTF-LS 090700APR2023 COP. Date: 04/09/2023.	STATE_009659-660		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.
P-0770	Operation Lone Star. Date: May 2023.	STATE_009740-749		*	H	Report of border situation; author is not a witness
P-0771	Operation Lone Star. Date: Aug. 2023.	STATE_009753-761		*	H	Report of border situation; author is not a witness
P-0772	Operation Lone Star. Date: Jan. 2024.	STATE_009777-785		*	H	Report of border situation; author is not a witness
P-0773	Email JTF-LS 090900NOV2023 COP - _UNCLASSIFIED - 2023-11-09T14_54_10_820Z . Date: 11/09/2023.	STATE_009786-792		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.
P-0774	Operation Lone Star. Date: Nov. 2023.	STATE_009795-804		*	H	Report of border situation; author is not a witness
P-0775	Email JTF-LS 090900OCT2023 COP. Date: 10/09/2023.	STATE_009805-810		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.
P-0776	Operation Lone Star. Date: Oct. 2023.	STATE_009813-822		*	H	Report of border situation; author is not a witness
P-0777	Operation Lone Star. Date: June 2023.	STATE_009895-904		*	H	Report of border situation; author is not a witness

P-0778	Operation Lone Star. Date: April 2023.	STATE_010012-021		*	H	Report of border situation; author is not a witness
P-0779	Operation Lone Star. Date: June 2023.	STATE_010063-072		*	H	Report of border situation; author is not a witness
P-0780	Email JTF-LS 110900DEC2023 COP - _UNCLASSIFIED - 2023-12-11T15 11 00 100Z . Date: 12/11/2023.	STATE_010121-126		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.
P-0781	Email JTF-LS 110900DEC2024 CDR SITREP. Date: 01/11/2024.	STATE_010139-145		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.
P-0782	Email JTF-LS 110900SEP2023 COP. Date: 09/11/2023.	STATE_010184-189		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.
P-0783	Email JTF-LS 120700APR2023 COP. Date: 04/12/2023.	STATE_010202-203		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.
P-0784	Operation Lone Star. Date: April 2023.	STATE_010210-219		*	H	Report of border situation; author is not a witness
P-0785	Operation Lone Star. Date: June 2023.	STATE_010262-271		*	H	Report of border situation; author is not a witness
P-0786	Operation Lone Star. Date: May 2023.	STATE_010296-305		*	H	Report of border situation; author is not a witness
P-0787	Email JTF-LS 120900OCT2023 COP. Date: 10/12/2023.	STATE_010351-356		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.

P-0788	Operation Lone Star. Date: April 2023.	STATE_010391-400		*	H	Report of border situation; author is not a witness
P-0789	Operation Lone Star. Date: June 2023.	STATE_010443-452		*	H	Report of border situation; author is not a witness
P-0790	Email JTF-LS 130700MAY2023 COP. Date: 05/13/2023.	STATE_010471-472		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.
P-0791	Operation Lone Star. Date: May 2023.	STATE_010473-476		*	H	Report of border situation; author is not a witness
P-0792	Operation Lone Star. Date: May 2023.	STATE_010477-486		*	H	Report of border situation; author is not a witness
P-0793	Email JTF-LS 130900DEC2023 COP - UNCLASSIFIED - 2023-12-01T13_53_28_724Z . Date: 12/13/2023.	STATE_010499-499		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.
P-0794	Operation Lone Star. Date: Dec. 2023.	STATE_010500-501		*	H	Report of border situation; author is not a witness
P-0795	Operation Lone Star. Date: Dec. 2023.	STATE_010502-510		*	H	Report of border situation; author is not a witness
P-0796	Email JTF-LS 130900JAN2024 COP. Date: 01/13/2024.	STATE_010511-511		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.
P-0797	Operation Lone Star. Date: Jan. 2024.	STATE_010512-520		*	H	Report of border situation; author is not a witness

P-0798	EmbeddedFile1.xlsx	STATE_010521-521		*	H	Excel sheet with TMD "Detected/Reported, Surrender Referral, Apprehension Ref., Turn Backs." Offered for the truth of the matter asserted - that the numbers listed are accurate and reflect some trend.
P-0799	EmbeddedFile2.xlsx	STATE_010522-522		*	I	Excel sheet with TMD C-wire installments by county
P-0800	EmbeddedFile3.xlsx	STATE_010523-523		*	H	Excel sheet with TMD "Detected/Reported, Referral, Apprehension Ref., Turn Backs." Offered for the truth of the matter asserted - that the numbers listed are accurate and reflect some trend.
P-0801	EmbeddedFile4.xlsx	STATE_010524-524		*	H	Excel sheet with list of TMD personnel by region. Offered for the truth of the matter asserted - that the numbers listed are accurate and reflect some part of their argument
P-0802	EmbeddedFile5.xlsx	STATE_010525-525		*	H	Excel sheet with list of TMD vehicle by region. Offered for the truth of the matter asserted - that the numbers listed are accurate and reflect some part of their argument

P-0803	EmbeddedFile6.xlsx	STATE_010526-526		*	I	List of TMD boats by region, which is not relevant to whether river is fit for commercial navigation.
P-0804	EmbeddedFile7.xlsx	STATE_010527-527		*	H, I	Excel sheet with TMD equipment present in each region. Offered for the truth of the matter asserted - that the numbers listed are accurate and reflect some trend. Lists buoys, but does not appear to be buoys at issue.
P-0805	EmbeddedFile8.xlsx	STATE_010528-528		*	I	Excel sheet with C-wrie deployed in Maverick and Hidalgo Counties
P-0806	Operation Lone Star. Date: Jan. 2024.	STATE_010529-530		*	H	Report of border situation; author is not a witness
P-0807	Email JTF-LS 130900NOV2023 COP - UNCLASSIFIED - 2023-11-13T14_58_18_916Z_. Date: 11/13/2023.	STATE_010531-536		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.
P-0808	Operation Lone Star. Date: Nov. 2023.	STATE_010537-538		*	H	Report of border situation; author is not a witness
P-0809	Operation Lone Star. Date: Nov. 2023.	STATE_010539-548		*	H	Report of border situation; author is not a witness
P-0810	Email JTF-LS 130900OCT2023 COP. Date: 10/13/2023.	STATE_010549-550		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.
P-0811	Operation Lone Star. Date: Oct. 2023.	STATE_010551-552		*	H	Report of border situation; author is not a witness

P-0812	Operation Lone Star. Date: Oct. 2023.	STATE_010553-562		*	H	Report of border situation; author is not a witness
P-0813	Email JTF-LS 130900SEP2023 COP. Date: 09/13/2023.	STATE_010563-563		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.
P-0814	Operation Lone Star. Date: Sep. 2023.	STATE_010564-565		*	H	Report of border situation; author is not a witness
P-0815	Operation Lone Star. Date: Sep. 2023.	STATE_010566-575		*	H	Report of border situation; author is not a witness
P-0816	Email JTF-LS 140700APR2023 COP. Date: 04/14/2023.	STATE_010576-577		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.
P-0817	Operation Lone Star. Date: June 2023.	STATE_010634-643		*	H	Report of border situation; author is not a witness
P-0818	Operation Lone Star. Date: March 2024.	STATE_011994-003		*	H	Report of border situation; author is not a witness
P-0819	Operation Lone Star. Date: March 2024.	STATE_012108-117		*	H	Report of border situation; author is not a witness
P-0820	EmbeddedFile6.xlsx	STATE_012123-123		*	I	List of TMD boats by region, which is not relevant to whether river is fit for commercial navigation.

P-0821	EmbeddedFile7.xlsx	STATE_012124-124		*	H, I	Excel sheet with TMD equipment present in each region. Offered for the truth of the matter asserted - that the numbers listed are accurate and reflect some trend. Lists buoys, but does not appear to be buoys at issue.
P-0822	Operation Lone Star. Date: Feb. 2024.	STATE_013265-279		*	H	Report of border situation; author is not a witness
P-0823	Operation Lone Star. Date: Nov. 2023.	STATE_013293-308		*	H	Report of border situation; author is not a witness
P-0824	Operation Lone Star. Date: Oct. 2023.	STATE_013309-318		*	H	Report of border situation; author is not a witness
P-0825	Operation Lone Star. Date: Feb. 2024.	STATE_013395-403		*	H	Report of border situation; author is not a witness
P-0826	Operation Lone Star. Date: Nov. 2023.	STATE_013693-702		*	H	Report of border situation; author is not a witness
P-0827	Email Floating Barrier info added to daily SITREP. Date: 07/17/2023.	STATE_016996-996		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes OOG request for information
P-0828	Email Left/Right Seat - LNO SITREP to TF CDR. Date: 04/14/2023.	STATE_016997-059		*	H	Hearsay inside hearsay: writer of email is not a witness, quotes other TMD employees who aren't witnesses.
P-0829	Buoy Barrier Debrief for Texas DPS. Date: 09/14/2023.	COCHRANE_0000003-254		*	H, I	Prepared by non-witness, relevant information is already stipulated regarding location and length of buoys.

P-0830	DPS - Project Rio. Date: 05/29/2023.	COCHRANE_000 0017-032		*	H,I	Prepared by non-witness, relevant information is already stipulated regarding location and length of buoys.
P-0831	Assembly Step 1.	COCHRANE_000 0033-053		*	H,I	Prepared by non-witness, process of assembling buoys not relevant because haven't harmed anyone or affected navigation.
P-0832	Concrete Anchor Rebar. Date: 05/25/2023.	COCHRANE_000 0054-055		*	H,I	Prepared by non-witness, process of assembling buoys not relevant because haven't harmed anyone or affected navigation.
P-0833	Texas Turns the Tide.	COCHRANE_000 0057-073		*	H, I, C	Parties already stipulated buoys were placed by Texas and the buoys' location shown is not the actual location, which the parties have also stipulated to. Cumaltive of P- 0678..
P-0834	Aerial photograph.	COCHRANE_000 0074-074		*	A	Photograph is not authenticated
P-0835	Aerial photograph.	COCHRANE_000 0075-075		*	A	Photograph is not authenticated
P-0836	Texas Turns the Tide.	COCHRANE_000 0076-087		*	C	Cumulative, exhibit is the same as P-0833.
P-0837	Texas Department of Public Safety. Date: 09/14/2023.	COCHRANE_000 0088-238		*	None	
P-0838	Floating Barrier System (FBS) Evaluation Report Outbrief. Date: 09/14/2023.	COCHRANE_000 0239-254		*	None	
P-0839	Photograph.	COCHRANE_000 0257-306		*	LoF	Photograph is not authenticated

P-0840	Cochrane USA invoice. Date: 04/18/2023.	COCHRANE_000 0267-267		*	LoF	Invoice is not authenticated.
P-0841	Negotiated Terms and Conditions for Contract 2958 Cochrane Barrier Buoy. Date: 06/22/2023.	COCHRANE_000 0268-298		*	LoF	Not authenticated.
P-0842	Cochrane's Terms and Conditions Negotiated pjs 06-22-2023. Date: 06/22/2023.	COCHRANE_000 0299-303		*	LoF	Not authenticated.
P-0843	Subpoena to Produce Documents, Information, or Objects or to Permit inspection of Premises in a Civil Action. Date: 03/28/2024.	COCHRANE_000 0304-306		*	None	
P-0844	Email USIBWC Operations and Maintenance Division Watercraft and Equipment Assets. Date: 02/13/2024.	US0002302-302	*		I, C, LoF	Does not tend to prove commercial navigation in fact or navigability; cumulative and repetitious of exhibits P-0845 and P-0846;
P-0845	Email USIBWC Survey Division Watercraft and Equipment Assets on the Rio Grande. Date: 02/13/2024.	US0002303-304	*		I, C	Does not tend to prove commercial navigation in fact or navigability; cumulative and repetitious of P-0844 and P-0846.
P-0846	Email USIBWC Water Accounting Division Watercraft and Equipment Assets on the Rio Grande. Date: 02/13/2024.	US0002305-306	*		I, C	Does not tend to prove commercial navigation in fact or navigability; cumulative and repetitious of P-0844 and P-0845.
P-0847	Expert Rebuttal Report Regarding the Historical Uses of the Lower Rio Grande River, Particularly in the Eagle Pass-Piedras Negras Area. Date: 07/12/2024.	US0002513-532		*	I	Irrelevant insofar as it concerns bank-to-bank traffic.

P-0848	Matt Walter, "Love on the Rio Grande: The 1850 Exploration by Captain Love." Journal of Big Bend Studies 19. Date: 2007.	US0002533-533	*		I	Irrelevant, single exploratory expeditions do not tend to prove navigability under the RHA
P-0849	The Southwestern Historical Quarterly. Date: Oct. 1924.	US0002534-558	*		I	
P-0850	Historia Mexicana. Date: Jan. 1972.	US0002559-603	*		I	
P-0851	The Rio Grande and Texas Land Co.	US0002604-612	*		I	
P-0852	La revolucio de la lectura durante el siglo XIX en Mexico.	US0002613-632	*		I	
P-0853	Republican Crisis and Civil War in North America. 1848-1867.	US0002633-055	*		I	
P-0855	Michael D. Chapman Resume.	US0003102-104		*	I	
P-0856	Missouri River Navigation Project. Date: Jan. 1994.	US0003105-135		*	None	
P-0857	Memo, Missouri River Bank Stabilization Project. Date: 04/05/1988.	US0003136-149		*	LoF	Unauthenticated
P-0858	Soundings 100 years of the Missouri River Navigation Project.	US0003150-338		*	I	
P-0859	Texas - State Agencies.xlsx	USACE0006656-656		*	None	
P-0860	Joint Public Notice. Date: 05/11/2017.	USACE0009252-265		*	LoF	Unauthenticated
P-0861	Water Resource Policies and Authorities Definition of Navigable Waters of the United States. Date: 09/11/1972.	USACE0009460-468		*	Irrelevant	Irrelevant except insofar as it incorporates binding Fifth Circuit caselaw as to the definition of and standards for navigability.
P-0862	Marine Resources Commission permit. Date: 04/17/2017.	USACE0011415-422		*	A	Unauthenticated

P-0863	Photograph.	USACE0011458-458		*	I, A	Photo is not of buoys or the Rio Grande. Unauthenticated, unclear where the photo was taken.
P-0864	Photograph.	USACE0011459-459		*	I, A	Photo is not of buoys or the Rio Grande. Unauthenticated, unclear where the photo was taken.
P-0865	Photograph.	USACE0011460-460		*	A	Photo is not of buoys or the Rio Grande. Unauthenticated, unclear where the photo was taken.
P-0866	VMRC. Date: 03/23/2015.	USACE0011461-472		*	A, I	Irrelevant, as placement and orientation of barrier discussed in the exhibit is not comparable to the buoys at issue in this case. Unauthenticated, neither sender nor recipient are offered to testify to authenticity,
P-0867	Letter in regard to Department of the Army permit application. Date: 09/03/2014.	USACE0011480-487		*	A, I	Irrelevant, as placement and orientation of barrier is not comparable to the barrier at issue here. Unauthenticated, neither sender nor recipient are offered to testify to authenticity.
P-0868	Navsta Norfolk - Waterfront Barrier.	USACE0011502-505		*	I	Irrelevant to the Rio Grande or to orientation/placement of buoys at issue.
P-0869	NAVSTA Waterfront.	USACE0011506-509		*	I	Irrelevant to the Rio Grande or to orientation/placement of buoys at issue.

P-0870	Letter in reference to the Department of the Army application. Date: 05/03/2023.	USACE0011669-670		*	A, I	Irrelevant to the Rio Grande or to orientation/placement of buoys at issue. Unauthenticated, neither sender nor recipient are offered to testify to authenticity.
P-0871	Department of the Army Memorandum Documenting General Permit Verification. Date: 05/03/2023.	USACE0011671-681		*	A, I	Irrelevant to the Rio Grande or to orientation/placement of buoys at issue. Unauthenticated, author of memorandum for record is not offered to testify to authenticity.
P-0872	Email River Port Security Barrier. Date: 01/20/2023.	USACE0011682-692		*	A, I	Irrelevant to the Rio Grande or to orientation/placement of buoys at issue. Unauthenticated, neither sender nor recipient are offered to testify to authenticity.
P-0873	Email JPA Submission for Installation of a Temporary Floating Security Barrier for Testing/Evaluation at Naval Station Norfolk. Date: 03/24/2015.	USACE0011703-717		*	A, I	Irrelevant to the Rio Grande or to orientation/placement of buoys at issue. Unauthenticated, neither sender nor recipient are offered to testify to authenticity.
P-0874	Regional Permit. Date: 08/14/2018.	USACE0011751-763		*	I	Irrelevant to the Rio Grande, to the orientation/placement of buoys at issue, and to buoys entirely.
P-0875	Operation Lock and Key 2.0. Date: 05/18/2022.	USCG0000016-025		*	None	

P-0876	Memo Navigability Determination. Date: 10/19/1984.	USCG0000028-035		*	C	Cumulative, repeats evidence already admitted.
P-0877	LANTAREA Briefing Slide. Date: 03/27/2024.	USCG0000160-160		*	A	
P-0878	Photograph.	USCG0000169-169		*	A	
P-0879	Photograph.	USCG0000170-170		*	A	
P-0880	Operation Falcon Watch. Date: 06/26/2023.	USCG0000171-172		*	I	Details travel on Falcon Lake, not on the Rio Grande itself, and not in the vicinity of the buoys. Does not even mention buoys.
P-0881	U.S. Coast Guard Mishap Report. Date: 06/20/2023.	USCG0000173-174		*	I	Details travel on Falcon Lake, not on the Rio Grande itself, and not in the vicinity of the buoys. Relates incident concerning an unmarked submerged obstruction, not a plain-view series of large spherical orange floating markers.
P-0882	Memo Predeployment Site Survey (PDSS): Eagle Pass, TX. Date: 01/11/2024.	USCG0000175-176		*	A	Unauthenticated, neither sender nor recipient are offered to testify to authenticity.
P-0883	Communication Log. Date: 07/26/2017.	USCG0000177-177		*	I, A	Not related to section of Rio Grande containing buoys; Unauthenticated, neither sender nor recipient are offered to testify to authenticity.

P-0884	Search and Rescue. Initial Search and Rescue. Date: 07/25/2017.	USCG0000178-183		*	I, A	Related to a paddleboard search and rescue on Falcon Lake. Unauthenticated, author is not offered to testify to authenticity.
P-0885	Search and Rescue. General Search and Rescue. Date: 05/04/2015.	USCG0000184-190		*	I, A	Related to a pontoon boat search and rescue on Falcon Lake. Unauthenticated, author is not offered to testify to authenticity.
P-0886	Case Report. SAR Disabled Vessel. Date: 05/03/2015.	USCG0000191-195		*	I, A	Related to a disabled boat on Falcon Lake. Unauthenticated, author is not offered to testify to authenticity.
P-0887	Case Report. SAR - P/C T.O.W. - Falcon Lake. Date: 07/26/2017.	USCG0000196-199		*	I, A	Related to an overturned kayak on Falcon Lake. Unauthenticated, author is not offered to testify to authenticity.
P-0888	LANTAREA Briefing Slide. Date: 05/23/2023.	USCG0000200-201		*	A	Unauthenticated, author is not offered to testify to authenticity.
P-0889	LANTAREA Briefing Slide. Date: 06/01/2023.	USCG0000202-203		*	A	Unauthenticated, author is not offered to testify to authenticity.
P-0890	LANTAREA Briefing Slide. Date: 06/08/2023.	USCG0000204-206		*	A	Unauthenticated, author is not offered to testify to authenticity.
P-0891	OP Lock & Key. Date: 05/12/2023.	USCG0000207-208		*	A	Unauthenticated, author is not offered to testify to authenticity.
P-0892	LANTAREA Briefing Slide. Date: 05/12/2023.	USCG0000209-210		*	A	Unauthenticated, author is not offered to testify to authenticity.

P-0893	DEPOD 20-072L. Date: 02/10/2020.	USCG0000211-211		*	I, A	Related to operations on Falcon Lake. Unauthenticated, author is not offered to testify to authenticity.
P-0894	Sector Corpus Christi Enforcement Falcon Lake OPSUM. Date: 04/16/2023.	USCG0000212-213		*	I, A	Related to operations on Falcon Lake. Unauthenticated, author is not offered to testify to authenticity.
P-0895	Operations Order to USCG forces for Operation Falcon Watch. Date: 04/16/2023.	USCG0000214-219		*	I, A	Related to operations on Falcon Lake. Unauthenticated, author is not offered to testify to authenticity.
P-0896	LANTAREA Briefing Slide. Date: 06/29/2023.	USCG0000220-222		*	A	Unauthenticated, author is not offered to testify to authenticity.
P-0897	LANTAREA Briefing Slide. Date: 06/21/2023.	USCG0000223-225		*	A	Unauthenticated, author is not offered to testify to authenticity.
P-0898	LANTAREA Briefing Slide. Date: 05/18/2023.	USCG0000226-226		*	A	Unauthenticated, author is not offered to testify to authenticity.
P-0899	Title 33 - Navigation and Navigable Waters. Date: 07/09/2024.	USCG0000227-227		*	None	
P-0900	Title 33 - Navigation and Navigable Waters. Date: 07/09/2024.	USCG0000228-228		*	None	
P-0901	Title 33 - Navigation and Navigable Waters. Date: 07/09/2024.	USCG0000229-229		*	None	
P-0902	Title 33 - Navigation and Navigable Waters. Date: 07/09/2024.	USCG0000230-231		*	None	
P-0903	Title 33 - Navigation and Navigable Waters. Date: 07/09/2024.	USCG0000232-232		*	None	

P-0904	Title 46 - Shipping.	USCG0000233-234		*	None	
P-0905	Subchapter C - Uninspected Vessels.	USCG0000235-308		*	I	Not relevant to buoys or the RHA.
P-0906	U.S. Coast Guard Mishap Report. Date: 07/26/2022.	USCG0000309-310		*	I, A	Incident occurred several hundred miles from the buoy site, near Mission. Does not relate to allision or collision with the buoys. Unauthenticated, author is not offered to testify to authenticity.
P-0907	Waterways Management (WWM): Hazards to Navigation Tactics, Techniques, and Procedures (TTP). Date: Feb. 2016.	USCG0000311-348		*	A	Unauthenticated, author is not offered to testify to authenticity.
P-0908	Title 33 - Navigation and Navigable Waters. Date: 07/10/2024.	USCG0000349-351		*	None	
P-0909	Title 33 - Navigation and Navigable Waters. Date: 07/08/2024.	USCG0000352-352		*	None	
P-0910	Memorandum of Agreement Between the United States Army Corps of Engineers and the United States Coast Guard. Date: 06/02/2000.	USCG0000611-613		*	A	Unauthenticated, neither signing party to memorandum is offered to testify to authenticity.
P-0911	Memorandum of Understanding Between United States Army Corps of Engineers and United States Coast Guard Regarding the Mitigation of Obstructions to Navigation. Date: 10/05/2012.	USCG0000614-620		*	A	Unauthenticated, neither signing party to memorandum is offered to testify to authenticity.

P-0912	United States Coast Guard Maritime Commerce Strategic Outlook. Date: Oct. 2018.	USCG0000621-660		*	I, A	Not relevant to the Rio Grande, buoys or the RHA, specific to maritime operations. Unauthenticated, author is not offered to testify to authenticity.
P-0913	Certification of Inspection. Date: 06/27/2023.	USCG0000688-689		*	I	Related to bank-to-bank ferry operating in Mission.
P-0914	Certification of Inspection. Date: 10/28/2021.	USCG0000690-691		*	I	Related to paddleboat river tours in Mission.
P-0915	U.S. Coast Guard Maritime Law Enforcement Manual (MLEM). Date: 11/20/2020.	USCG0000692-718		*	None	
P-0916	Chapter 5 - Non Coast Guard Maintained Aids.	USCG0000719-735		*	None	
P-0917	Aids to Navigation Manual Administration. Date: 03/02/2005.	USCG0000736-748		*	A	Unauthenticated, author is not offered to testify to authenticity.
P-0918	Jesse Sumpter, REMINISCENCES.		*		None	
P-0919	Inland Waterway Navigation Value to the Nation (Zhao Report Ex. 3).			*	None	
P-0920	USACE Inland Navigation Economics Cost Benefit Analysis 101 (Zhao Report Ex. 28). Date: 12/02/2015.			*	None	
P-0921	Cora Montgomery [Jane Cazneau], Eagle Pass; or Life on the Border. Date: 09/29/1852.		*		None	
P-0922	Defendants' Response to U.S. Requests for Admission. Date: 03/11/2024.			*	None	
P-0923	Expert Report of Tong Zhao. Date: 06/14/2024.			*	None	

P-0924	Response to letter regarding activities carried out by the State of Texas. Date: 08/14/2023.	DOS_0199680-681		*	H, A	Written in response to communications not before the court. Unauthenticated, neither author not recipient is made available to testify to authenticity.
P-0925	The withdrawal of the connected buoys and structures, installed by authorities of the State of Texas. Date: 08/17/2023.	DOS_0199822-822	*		A	Unauthenticated, neither author not recipient is made available to testify to authenticity.
P-0926	Letter Field visit performed by this Mexican Section. Date: 06/09/2023.	DOS0191799-801	*		A	Unauthenticated, neither author not recipient is made available to testify to authenticity.
P-0927	Email DPS//Cochrane Weekly Check In. 6.16.2023. Date: 06/16/2023.	STATE_007899-900		*	A	Unauthenticated, neither author not recipient is made available to testify to authenticity.
P-0929	The Fur Trade Review. Date: 03/01/1898.		*		I	Irrelevant, limited fur trade conducted primarily by canoe does not suggest sustained navigation or navigability.
P-0930	Frederick Law Olmstead, A Journey Through Texas. Date: 1857.		*		None	
P-0931	Border Report, "'We aren't asking for permission': Gov. Abbott defends use of concertina wire along El Paso border" (April 12, 2023). Date: 04/12/2023.			*	None	
P-0932	1870 U.S. Census, Eagle Pass, Texas (excerpt). Date: 07/16/1870.		*		I	Not relevant to navigability, obstruction, or the RHA.

P-0933	1915 Annual Report of the Chief of Engineers, Appendix: A Historical Summary Giving the Scope of Previous Projects for the Improvement of Certain Rivers and Harbors (excerpt). Date: 1915.		*		None	
P-0934	1860 U.S. Census, Eagle Pass, Texas (excerpt). Date: 07/26/1860.			*	I	Not relevant to navigability, obstruction, or the RHA.
P-0935	1880 U.S. Census, Maverick County, Texas (excerpt). Date: 06/05/1880.			*	I	Not relevant to navigability, obstruction, or the RHA.
P-0936	Chapman Report Appendix A.	US0003097-097		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.
P-0937	Chapman Report Appendix B.	US0003098-098		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.

P-0938	Rebuttal Expert Report of Michael D. Chapman.	US0003056-101		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.
P-0939	Chapman Report Appendix D.	US0003100-100		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.
P-0940	Chapman Report Figure 1.	US0003064-064	*		A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.

P-0941	Chapman Report Figure 2.	US0003065-065	*		A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.
P-0942	Chapman Report Figure 3.	US0003066-066		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.
P-0943	Chapman Report Figure 4.	US0003067-067	*		A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.

P-0944	Chapman Report Figure 5.	US0003067-067		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.
P-0945	Chapman Report Figure 6.	US0003068-068		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.
P-0946	Chapman Report Figure 7.	US0003071-071		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.

P-0947	Chapman Report Figure 8.	US0003077-077		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.
P-0948	Chapman Report Figure 9.	US0003078-078		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.
P-0949	Chapman Report Figure 10.	US0003079-079		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.

P-0950	Chapman Report Figure 11.	US0003080-080		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.
P-0951	Chapman Report Figure 12.	US0003081-081		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.
P-0952	Chapman Report Figure 13.	US0003081-081		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.

P-0953	Chapman Report Figure 14.	US0003082-082		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.
P-0954	Chapman Report Figure 15.	US0003082-082		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.
P-0955	Chapman Report Figure 16.	US0003083-083		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.

P-0956	Chapman Report Figure 17.	US0003083-083		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.
P-0957	Chapman Report Figure 18.	US0003084-084		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.
P-0958	Chapman Report Figure 19.	US0003085-085		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.

P-0959	Chapman Report Figure 20.	US0003085-085		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.
P-0960	Chapman Report Figure 21.	US0003086-086		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.
P-0961	Chapman Report Figure 22.	US0003086-086		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.

P-0962	Chapman Report Figure 23.	US0003087-087		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.
P-0963	Chapman Report Figure 24.	US0003088-088		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.
P-0964	Chapman Report Figure 25.	US0003088-088		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.

P-0965	Chapman Report Figure 26.	US0003089-089		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.
P-0966	Chapman Report Figure 27.	US0003089-089		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.
P-0967	Chapman Report Figure 28.	US0003090-090		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.

P-0968	Chapman Report Figure 29.	US0003091-091		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.
P-0969	Chapman Report Figure 30.	US0003092-092		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.
P-0970	Chapman Report Figure 31.	US0003093-093		*	A, I	Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.

				*		Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.
P-0971	Chapman Report Table 1.	US0003095-095			A, I	
P-0972	Title 33 - Navigation and Navigable Waters.			*	None	
P-0973	Chapter 1 - Coast Guard, Dept. of Transportation.			*	None	
P-0974	Title 33 - Navigation and Navigable Waters.			*	None	
P-0975	Chapter 1 - Coast Guard, Dept. of Transportation.			*	None	
P-0976	Texas Experts' Omnibus Draft Report Outline (redacted).	STATE_017061-077		*	None	
P-0977	Cover email to Texas Experts' Omnibus Draft Report Outline (redacted). Date: 06/04/2024.	STATE_017060-060		*	None	
P-0978	Oral and Videotaped Deposition of Expert Witness Michael Chapman. Date: 07/19/2024.			*	None	
P-0979	Chapman Dep. Ex. 1.			*	None	
P-0980	Chapman Dep. Ex. 2.			*	None	

				*		Object as unauthenticated unless and until Chapman authenticates his report during rebuttal testimony. Irrelevant as all opinions contained within this expert report pertain to reasonable improvements, which Plaintiff is not offering evidence to support.
P-0981	Chapman Dep. Ex. 3.				A, I	
P-0982	Chapman Dep. Ex. 4.			*	None	
P-0983	Chapman Dep. Ex. 5.			*	None	
P-0984	Chapman Dep. Ex. 6.			*	C, Already in Evidence	Cumulative, duplicative of P-0008 and D-0001.
P-0985	Chapman Dep. Ex. 7.			*	I	Relevant to the the Missouri River, not the Rio Grande
P-0986	Chapman Dep. Ex. 8.			*	I	Relevant to the Omaha district of the USACE, not the Fort Worth District.
P-0987	Chapman Dep. Ex. 9.			*	I	Relevant to the the Missouri River, not the Rio Grande
P-0988	Oral and Videotaped Deposition of Francisco Sainz. Date: 07/11/2024.			*	None	
P-0989	William H. Emory, Report on the United States and Mexican Boundary Survey (1857). Date: 1857.			*	None	
P-0990	Frank Leslie's Illustrated Newspaper (Sept. 3, 1864). Date: 09/03/1864.			*	None	
P-0991	Handwritten Letter to Asst. Quartermaster's Office. Date: 03/15/1849.		*		None	

P-0992	Handwritten Letter to Asst. Quartermaster's Office. Date: 03/15/1849.		*		None	
P-0993	Travelers and the Fireside. The Eagle Pass; or Life on the Border. Date: 09/29/1852.		*		None	

Defendants reserve the right to raise additional objections to Plaintiff's exhibits not included in the foregoing, to withdraw objections they currently have raised, and to amend or modify their objections in response to any changes that Plaintiff may make to the exhibit list it filed on October 28, 2024.

III. OBJECTIONS AND COUNTER-DESIGNATIONS TO PLAINTIFF'S DEPOSITION DESIGNATIONS

In response to the designations of witness depositions that Plaintiff included in its pre-trial submissions on October 28, 2024, Defendants make the following counter-designations.

Thomas P. Ciarametaro

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Ivan Morua

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Ancil Taylor

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Defendants reserve the right to designate additional portions of the foregoing deposition testimony and reserve their rights to object to Plaintiff's use of deposition testimony at trial.

Dated October 30, 2024

KEN PAXTON
Attorney General of the State of Texas

BRENT WEBSTER
First Assistant Attorney General

RALPH MOLINA
Deputy First Assistant Attorney General

AUSTIN KINGHORN
Deputy Attorney General for Legal Strategy

RYAN WALTERS
Chief, Special Litigation Division

OFFICE OF THE ATTORNEY GENERAL OF TEXAS
P. O. Box 12548, MC-009
Austin, TX 78711-2548
(512) 936-2172

Respectfully submitted,

/s/ David Bryant
DAVID BRYANT
Senior Special Counsel
Tex. State Bar No. 03281500
david.bryant@oag.texas.gov

JOHNATHAN STONE
Special Counsel
Tex. State Bar No. 24071779
Johnathan.stone@oag.texas.gov

MUNERA AL-FUHAIID
Special Counsel
Tex. State Bar No. 24094501
munera.al-fuhaid@oag.texas.gov

KYLE S. TEBO
Special Counsel
Tex. State Bar No. 24137691
kyle.tebo@oag.texas.gov

ZACHARY BERG
Special Counsel
Tex. State Bar. 24107706
Zachary.Berg@oag.texas.gov

COUNSEL FOR DEFENDANTS

CERTIFICATE OF SERVICE

On October 30, 2024, this document was filed electronically through the Court's CM/ECF system, which automatically serves all counsel of record.

/s/ David Bryant
DAVID BRYANT
Senior Special Counsel